



ARLINGTON COUNTY, VIRGINIA

County Board Agenda Item Meeting of September 15, 2012

Date: September 7, 2012

- SUBJECTS:**
1. Z-2556-12-1 REZONING from "C-O" Commercial Office Building, Hotel and Multiple-Family Dwelling Districts to "C-O-Crystal City" Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts, located at 1851 South Bell Street, approximately 1.7 acres (RPC# 34-026-037 part).
 2. CCBP-JK-1 CRYSTAL CITY BLOCK PLAN for Blocks J-K as identified in the Crystal City Sector Plan, defined by Crystal Drive, 18th Street South, Jefferson Davis Highway, and 20th Street South.
 3. SP #56 SITE PLAN AMENDMENT for the removal of 133,956 square feet of site area from SP #56. Property to be excluded is located at 1851 South Bell Street (RPC# 34-026-037 part). Property to remain in SP #56 is located at 1800, 1801, 1901 South Bell Street and 1999 Jefferson Davis Highway (RPC# 34-026-035, 037 part, -038, -039, -040).
 4. SP #421 SITE PLAN for a final site plan for the construction of up to 730,994 square feet of commercial building consisting of up to 719,704 square feet of office space with up to 11,290 square feet of retail space with modifications of zoning ordinance requirements for parking, and other modifications as necessary to achieve the proposed development plan; located at 1851 South Bell Street (RPC# 34-026-037 part).

Applicant:

CESC Mall Land L.L.C.
2345 Crystal Drive, Suite 1000
Arlington, Virginia 22202

County Manager: *BMD/GA*

County Attorney: *AWM*

Staff: Aaron Shriber, DCPHD, Planning Division
Anthony Fusarelli, Jr., DCPHD, Planning Division
Robert Gibson, DES, Transportation Division
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40. B., C., D., E.

By:

John Milliken, Attorney/Agent
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C.M. RECOMMENDATIONS:

1. Adopt the attached resolution to approve the rezoning request from “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts for 1851 South Bell Street to be known as 1900 Crystal Drive.
2. Adopt the attached Crystal City Block Plan for Blocks J-K (CCBP-JK-1), dated August 6, 2012.
3. Adopt the attached ordinance to approve an amendment to Site Plan #56 to permit the removal of 133,956 square feet of site area, subject to the conditions of the attached ordinance.
4. Adopt the attached ordinance to approve Site Plan #421 to permit development of up to 730,994 square feet of commercial space comprised of a building consisting of up to 719,704 square feet of office space with up to 11,290 square feet of retail space with modifications of zoning ordinance requirements for parking, and other modifications as necessary to achieve the proposed development plan, subject to the conditions of the attached ordinance.

ISSUES: The 1900 Crystal Drive development proposal is comprised of a vacation of portions of a water utility easement, rezoning to the “C-O-Crystal City” zoning district, a site plan amendment to remove land area from SP #56, and a site plan to permit construction of a 730,994 square foot commercial building consisting of 719,704 square feet of office space with 11,290 square feet of retail space. The vacation is addressed in a separate report. Staff has identified issues related to the applicant’s proposed treatment of the building’s podium and the paving treatment of the sidewalks as outstanding. These issues, and staff’s recommended resolutions, are discussed further in this report.

SUMMARY: CESC Mall Land L.L.C. (the “applicant”) seeks approval to redevelop the Crystal Mall III office building, located at 1851 South Bell Street, with a new office building to be known as 1900 Crystal Drive. This redevelopment proposal is the first site plan proposal in Crystal City to be considered since adoption of the [Crystal City Sector Plan](#) in 2010. The subject site is located on the block that is generally bound by 18th Street South to the north, Crystal Drive to the east, 20th Street South to the south, and Jefferson Davis Highway (U.S. Route 1) to the west. The development proposal involves the following applications: 1) rezoning of property to the “C-O-Crystal City” zoning district; 2) Crystal City Block Plan for Blocks J-K (CCBP-JK-1); 3) site plan amendment to remove land from SP #56; 4) final site plan (SP #421) to permit

development of the proposed office building and interim park; and 5) vacation of portions of a water service utility easement (addressed in a separate report).

Specifically, the development (to be known as 1900 Crystal Drive) proposes to remove 3.07 acres from SP #56 for the purpose of creating a new site plan (SP #421) to permit redevelopment of this portion of the block with a 24 story building consisting of 719,704 square feet of office space and 11,290 square feet of retail space. In addition to this building, the applicant proposes to improve the northern portion of the site plan area with an interim park that will be located in the southwest quadrant of the intersection of Crystal Drive and 18th Street South. This park is considered an interim improvement because it is located in the area of a future building site, as recommended by the Crystal City Sector Plan. The interim park will remain until this building is approved as part of a future site plan amendment. Between the commercial building and the interim park, the applicant proposes to construct a staircase and elevator for the purpose of providing access from Crystal Drive to the existing courtyard fronting South Bell Street (also the future location of Center Park), which is approximately sixteen feet higher in elevation than the sidewalk along Crystal Drive. The staircase and elevator will remain in perpetuity.

In order to support the development proposed with the site plan (SP #421), the applicant requests that a 1.70 acre portion of the block be rezoned to the “C-O-Crystal City” zoning district. The area of the site plan that will be rezoned is the portion that will support development of the office building; the portion of the site plan area that will remain zoned “C-O” will support the interim park. As required by the “C-O-Crystal City” zoning district, any site plan for property located east of Jefferson Davis Highway must be accompanied by a Crystal City Block Plan (CCBP). In conformance with the Zoning Ordinance, the applicant proposes a CCBP for Blocks J-K, which ultimately proposes three development scenarios for Blocks J-K based upon guidance provided in the Crystal City Sector Plan and as proposed with SP #421.

The Crystal City Sector Plan was initiated in response to the federal government’s Base Realignment and Closure Commission (BRACC), which recommended the relocation of a significant amount of office space leased by various Department of Defense related agencies from Crystal City to other portions of the country. In response to BRACC, the Crystal City Sector Plan provides guidance for the physical redevelopment of Crystal City in an effort to remake this area as an economically viable high-density mixed-use neighborhood. The applicant’s proposal is generally in conformance with the recommendations of the Crystal City Sector Plan and the provisions of the “C-O-Crystal City” zoning district. Therefore, and in consideration of the ability of this project to serve as the catalyst for further redevelopment of Crystal City in accordance with the recommendations of the Crystal City Sector Plan, staff recommends that the County Board adopt the following: 1) the attached resolution rezoning 1.70 acres to the “C-O-Crystal City” zoning district; 2) the Crystal City Block Plan for Blocks J-K (CCBP-JK-1), dated August 6, 2012; 3) the attached ordinance to approve an amendment to SP #56 for the removal of 3.07 acres, subject to the conditions of the site plan amendment ordinance; and 4) the attached ordinance to approve a new site plan (SP #421), subject to the conditions of the site plan ordinance.

BACKGROUND: Block J/K is subject to Site Plan #56, which was approved by the County Board on July 15, 1967 (Z-1882-67-1). SP #56 has been completely built out and includes four

office buildings, a hotel, a theater, and retail uses located within the portion of the Crystal City Underground that traverses the block. A common underground parking structure containing 1,887 parking spaces serves the uses on this block. Each of these buildings was constructed in a manner that results in a poor relationship to the public realm as evidenced by the presence of service drives, surface parking areas, lobby entrances oriented to the internal courtyard, absence of ground-floor retail, and massive retaining walls at the back of the sidewalk along 18th Street South and 20th Street South. As proposed, the Crystal Mall III office building (401,935 s.f.) will be demolished and replaced with a 24-story building consisting of ground floor retail (11,290 s.f.) and up to 719,704 square feet of office space. As designed, the building will be oriented parallel to Crystal Drive and will accommodate the construction of an interim park in the northeast corner of the block, which will remain until that area is subject to a future rezoning to the “C-O-Crystal City” zoning district and an amendment to SP #421 to allow for the redevelopment of that area with a new building. The redevelopment of the Crystal Mall III building is the first effort in transforming this block into an area with buildings that engage the public realm through building placement and ground floor retail uses, as well as providing for the future Center Park that is envisioned for this block by the Crystal City Sector Plan.

The following provides additional information about the site and location:

Site: The Crystal City Block Plan (“CCBP”) proposal for Blocks J-K (CCBP-JK-1) analyzes future redevelopment scenarios for this 9.48 acre block bounded on the north by 18th Street South, on the east by Crystal Drive, on the south by 20th Street South, and on the west by Jefferson Davis Highway. The requested amendment to SP #56 requests approval to leave existing buildings on a residual land area of 6.41 acre portion of Blocks J-K, while the requested new site plan (SP #421) comprises the residual 3.07 acre portion of Blocks J-K. Blocks J-K is surrounded by the following land uses:

- To the north: 18th Street South and the Crystal Square development (SP #90). The properties are designated “High” Office-Apartment-Hotel and are zoned “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts and “M-2” Service Industrial Districts.
- To the east: Crystal Drive and the Crystal Park development (SP #167). The properties are designated “Low” Office-Apartment-Hotel and are zoned “C-O-1.5” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts.
- To the south: 20th Street South and the Crystal Plaza development (SP #11). The properties are zoned “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts, “RA4.8” Multiple-Family Dwelling and Hotel Districts and “M-2” Service Industrial Districts.
- To the west: Jefferson Davis Highway and the Sheraton-Crystal City (SP #78) and the CEA office building. The properties are zoned “RA-H3.2” Multiple-Family Dwelling and Hotel Districts and “C-2” Service Commercial-Community Business Districts.

Existing Zoning: [“C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts.](#)

Proposed Zoning: [“C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts](#) and “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts.

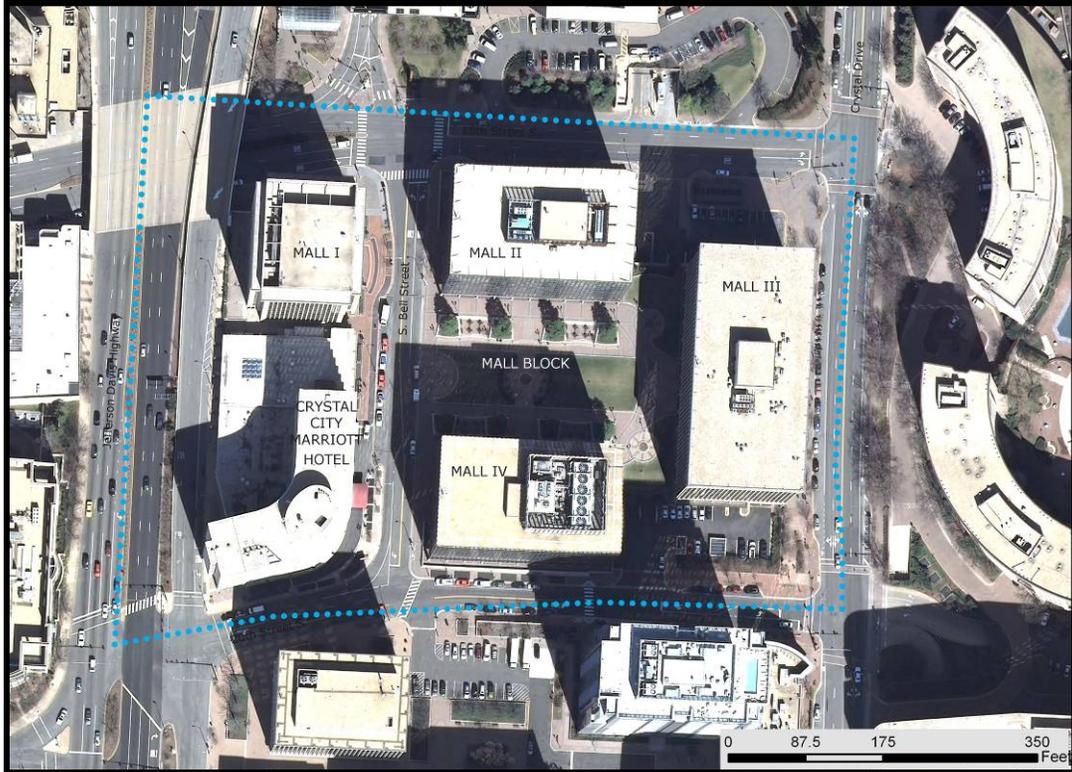
General Land Use Plan Designation: [“High” Office-Apartment-Hotel and “Crystal City Coordinated Redevelopment District” \(Note 1\).](#) In addition, the block is identified by the Crystal City Sector Plan as Blocks J and K within the Central Business District.

Neighborhood: The site is located within the Crystal City community. As no formal civic association exists in Crystal City east of South Eads Street, representatives of the Crystal Park Condominium building, Crystal City Resident Community, Aurora Highlands Civic Association and Arlington Ridge Civic Association participated in the Planning Commission’s Site Plan Review Committee (SPRC) meetings for this project. To date, no written comments have been received from any of these groups.

Existing Development: Blocks J-K currently contains the following uses:

Building	Office	Retail	Hotel	Total
Mall I	226,496 sf	26,628 sf		253,124 sf
Mall II	312,858 sf			312,858 sf
Mall III	399,439 sf	2,496 sf		401,935 sf
Mall IV	317,009 sf	1,992 sf		319,001 sf
Crystal City Marriott			218,781 sf	218,781 sf
TOTAL	1,255,802 sf	31,116 sf	218,781 sf	1,505,699 sf

Information provided from Crystal City Block Plan-JK-1



Source: Crystal City Block Plan-JK-1 applicant submission

The existing 401,935 square foot Mall III building is situated parallel to Crystal Drive with surface parking on the north and south sides of the building that connect to an at-grade drive through lane over top of which the building projects. Though the primary pedestrian entrance to the building is provided from the existing courtyard along South Bell Street, streetscape improvements are provided along Crystal Drive, 18th Street South and 20th Street South that facilitate the movement of people past this block. Along Crystal Drive, the streetscape consists of an approximately 30-foot wide section with an approximately 10-foot wide clear walkway zone (an entrance to the Crystal City Underground and tree wells flank the sidewalk and disrupt the clear path in this area); adjacent to 18th Street South, the streetscape consists of an approximately 35-foot wide section with an approximately 5-foot wide clear walkway zone (a raised garage ventilation shaft consumes a large portion of this area); and along 20th Street South, the streetscape contains an approximately 16-foot wide section with an approximately 10-foot wide clear walkway zone. Access to the surface parking, loading activities, refuse collection, and garage entrances are provided from curb cuts along 18th Street South and 20th Street South. The building's west elevation is oriented towards the existing courtyard on the block (and future location of Center Park), and a small landscaped and seating area is provided adjacent to the sidewalk in the southeast corner of the site near the intersection between Crystal Drive and 20th Street South.



*Mall III Building from Crystal Drive/20th Street South
Source: CPHD Staff Photograph*

A major feature of the block is the difference in the finished grade between Crystal Drive (elevation 36 feet) and South Clark Street (elevation 66 feet), with the existing central courtyard area of the block between Crystal Drive and South Bell Street developed at an elevation of 53 feet. This grade differential defined the development of the block whereby the Center Park portion of the block was established at a finished grade of 53 feet with the lobbies of the Mall II, Mall III and Mall IV buildings oriented around this courtyard, but their respective opposite elevations dropped down to the adjacent finished grade that increases from 36 feet along Crystal Drive up to 53 feet along South Bell Street. The resulting effect is that the existing central courtyard and future location of Center Park area is approximately 17 feet above the finished grade of the proposed site plan area along Crystal Drive. The Mall II and Mall IV buildings present a much greater increase in grade, as is displayed by the retaining walls located at the back of the sidewalk along 18th Street South and 20th Street South.



Mall II Building and Retaining Wall Along 18th Street South
 Source: CPHD Staff Photograph

Development Potential:

Site Plan Area ¹ 3.07 ac (133,956 sf)	DENSITY ALLOWED/TYPICAL USE	MAXIMUM DEVELOPMENT
Existing Zoning		
“C-O” By-Right	One-Family Dwellings: 6,000 sf/lot; or Office Use: .6 FAR	22 lots; or 80,373 sf
“C-O” Site Plan	Office, Commercial and Hotel: 3.8 FAR; or Multiple-Family Dwellings: 4.8 FAR	509,032 sf; or 642,988 sf
Proposed Zoning²		
“C-O-Crystal City” By-Right (1.7 acres to be rezoned)	Places of Worship; or Office Use: .6 FAR	44,516 sf
“C-O-Crystal City” Site Plan (1.7 acres to be rezoned)	Office, Retail, Hotels and Multiple-Family: in accordance with the provisions of the Crystal City Sector Plan	In accordance with the provisions of the Crystal City Sector Plan
“C-O” By-Right (1.37 acres to remain as zoned)	One-Family Dwellings: 6,000 sf/lot; or Office Use: .6 FAR	9 lots; or 35,857 sf
“C-O” Site Plan (1.37 acres to remain as zoned)	Office, Commercial and Hotel: 3.8 FAR; or Multiple-Family Dwellings: 4.8 FAR	227,095 sf; or 286,857 sf

¹ The site area for Site Plan #421 consists of a 3.08 acre portion of Crystal City Blocks J-K.

² Though SP #421 contains 3.07 acres, only 1.7 acres of this area will be rezoned to the “C-O-Crystal City” zoning district. The remaining 1.37 acres that comprise SP #421 will remain zoned “C-O.”

Proposed Development: The following table sets forth the preliminary statistical summary for the proposed site plan:

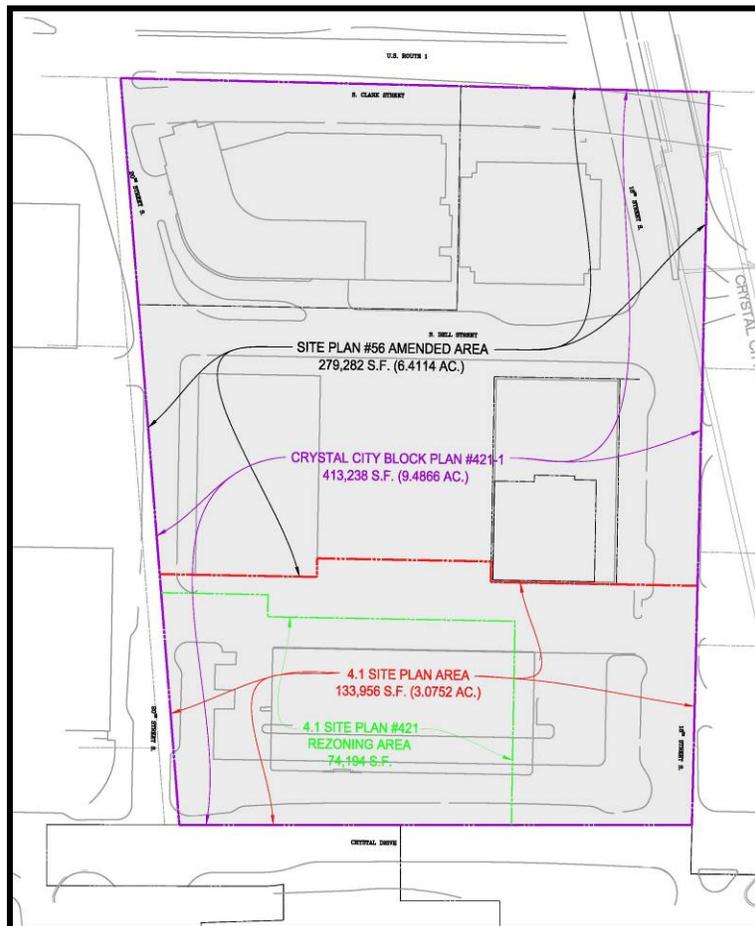
	Proposed
Site Area	
Crystal City Block Plan (CCBP-JK-1)	413,238 sf (9.48 ac)
Rezoning	74,194 sf (1.70 ac)
Site Plan Amendment (SP #56)	279,282 sf (6.41 ac)
Site Plan (SP #421)	133,956 sf (3.08 ac)
Public Easement Vacation Request	834 sf (.02 ac)
Density¹	
Site Plan Amendment (SP #56)	1,103,764 sf 3.95 FAR
Site Plan (SP #421)	730,994 sf 5.46 FAR 9.85 FAR (effective)
Office	719,704 sf
Retail	11,290 sf
“C-O-Crystal City” Max Permitted	Based upon Crystal City Sector Plan Design Parameters
Average Site Elevation	41.7 ft
Height	
Total Height	297.13 ft
AMSL	338.83 ft
Main Roof	274.13 ft
AMSL	315.83 ft
Penthouse	21.33 ft
AMSL	337.17 ft
Canopy	1.66 ft
AMSL	338.83 ft
“C-O-Crystal City” Max Permitted	300 ft
Parking^{2,3}	
Office	
Standard Spaces	507 spaces
Tandem Spaces	121 spaces
Compact Spaces	80 spaces
Van Pool Spaces	8 spaces
Accessible Spaces	12 spaces
Accessible Van Spaces	4 spaces
Parking Provided	732 spaces 1 space/999 sf
Min. Required Parking Ratio	1 sp/1000 sf
Min. Required Parking Spaces	731 spaces
Building Tower Coverage	
Proposed	63.7%
Maximum Permitted	85%
LEED	Gold (v.2009 Core & Shell)

¹ Floor area ratio (FAR) calculation is based upon the proposed site plan area (133,956 sf). An effective FAR calculation has been provided for reference that is based upon the rezoning site area (74,194 sf) which does not include the area of the interim park.

² Includes 99 existing parking spaces that are located within the site plan area underneath the proposed interim park that will be reconfigured to serve the proposed building.

³ Inclusive of tandem parking spaces (Zoning Ordinance modification requested).

Density and Uses: The entire J-K block is currently zoned “C-O” and is part of Site Plan #56, which permits the existing development of four office buildings, a hotel and a theater, as well as retail uses located within the portion of the Crystal City Underground that traverses the block. As proposed, the amendment to SP #56 seeks to remove land area from the site plan, resulting in a residual site area for SP #56 of 6.41 acres; no other changes aside from the removal of land area are associated with this site plan amendment request. To permit the redevelopment of the Mall III office building site, the applicant proposes to rezone 1.70 acres from the “C-O” zoning district to the “C-O-Crystal City” zoning district and to create a new site plan (SP #421) for this area that would be removed from SP #56. The Crystal City Block Plan for Blocks J-K (CCBP-JK-1) includes the entirety of the block. Each of the subject application areas are as depicted below:



Source: Site Plan #421 applicant submission

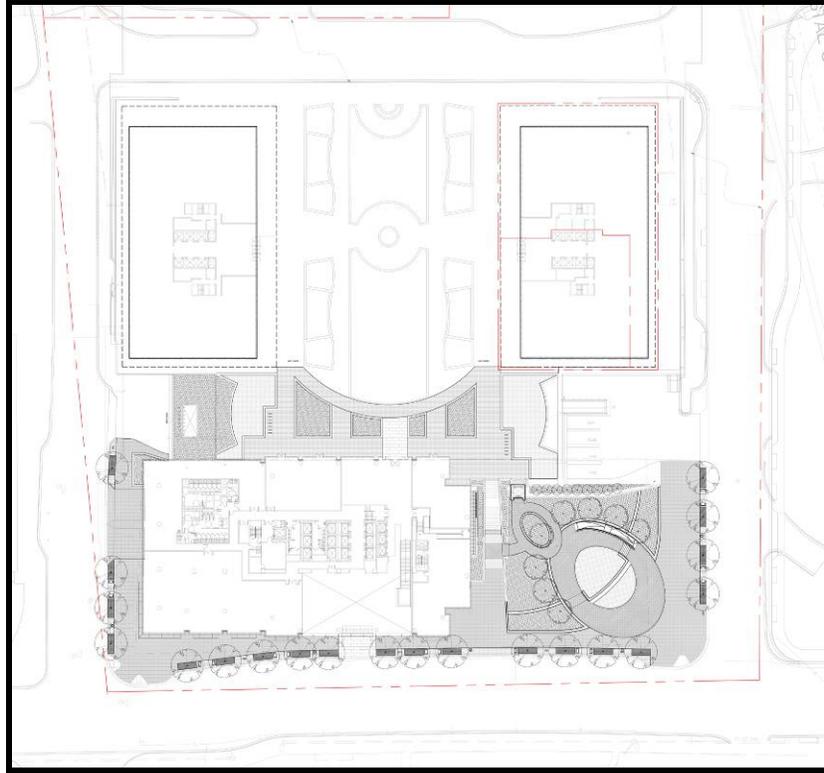
The Crystal City Sector Plan provides recommendations for the redevelopment of whole blocks by prescribing certain form based parameters for redevelopment including, among others, building height, tower coverage, tower separation and bulk angle plane. Density is not limited in the “C-O-Crystal City” zoning district, though the actual amount of density permitted for each block through redevelopment efforts such as that proposed here, is limited by the form based parameters that affect how much building mass can be located on a block while meeting these form based requirements. As such, the applicant proposes the construction of a 24-story building

(297 feet tall) consisting of 11,290 square feet of ground floor retail uses and 719,704 square feet of office space. The site plan provides an option for the penthouse level of the building that does not provide office space on this uppermost level of the building. Should the applicant choose this option, the amount of total office space provided would be in an amount up to 714,693 square feet. The amount of density and the uses of the building are in conformance with the Crystal City Sector Plan's recommendations for this portion of the subject block (Blocks J-K).

Site and Design: As proposed, the applicant will demolish the eleven-story 401,935 square foot Mall III building and associated underground parking spaces, and redevelop this area with a 24-story office building with ground floor retail uses and an interim park in the northeast corner of the block. Associated parking spaces (732 spaces) will be provided in six levels of structured parking (five below grade levels and one level at grade), which is three more levels of parking than currently exist within this portion of the block.

Providing active ground floor uses, including those adjacent to Center Park, is a principal recommendation of the Crystal City Sector Plan as it is these uses that will contribute to the viability of the type of active urban environment that is envisioned for Crystal City. Because of the significant grade differential between Crystal Drive and the future Center Park, the building has been designed with a two-story lobby on the eastern side of the building flanked by retail uses fronting on Crystal Drive and a lobby flanked by flexible retail/office uses on the western portion of the building adjacent to the future Center Park. Access to the underground garage will be maintained from 18th Street South and 20th Street South. All of the loading and refuse collection activities will occur within the building with access to this area provided from 20th Street South.

Streetscape improvements will be provided along the site plan area's frontage on 18th Street South (minimum 16.5 feet wide with a minimum 6 foot wide clear walkway zone), Crystal Drive (minimum 15.5 feet wide with a minimum 6 foot wide clear walkway zone), and 20th Street South (minimum 18.5 feet wide with a minimum 6 foot wide clear walkway zone). The streetscapes have been designed to permit street trees, bioretention facilities (where possible), furnishings, and café zones. On-street parking will be provided on Crystal Drive. A major aspect of this site plan proposal is the creation of an approximately 16,000 square foot interim park in the northern portion of the site plan area that will be provided for an undetermined amount of time until a future building is approved for construction in that area subject to a future amendment to this site plan. This interim park presents an opportunity for passive recreational uses and a passageway from Crystal Drive and 18th Street South into Center Park. Accessible pathways and a jump elevator are proposed to facilitate the movement of people through this area; these elements will remain on the block in perpetuity. The building has been designed to work well with both the existing configuration of the central courtyard and as proposed once the Mall IV building is removed at some point in the future, thus permitting creation of the ultimate version of Center Park as envisioned by the Crystal City Sector Plan.



Source: Site Plan #421 applicant submission

The 24-story building (297 feet) has been designed with the intent of providing a distinctive podium, tower and top, as recommended by the Crystal City Sector Plan's design guidelines. Staff has provided recommendations for improvements to the design of this building by further defining these elements, which are addressed further below in this report. A glass curtain façade consisting of vision glass with spandrel glass headers will be employed, with metal panels and louvers shielding the service related portions of the building at the ground floor. A building top canopy extending from the penthouse level will project from the roof in a southerly direction with tie-back supports anchored above the 21st level of the building. It is this canopy, notched façade elements and terraces at levels 3, 21 and 24 that attempt to provide visual interest for this building that will clearly differentiate itself from the architecture of the other buildings on the subject block and elsewhere in Crystal City. In addition, architectural lighting will be provided along the northern portion of the building to define the recessed corners of the building, and will also be provided on the underside of the canopy.



Source: Site Plan #421 applicant submission

Sustainable Design: In compliance with the County’s recent amendment to the [Green Building Bonus Density Program](#), the applicant has designed the building to achieve LEED Gold certification (v. 2009—Core and Shell) and a 20% energy savings. In order to achieve this level of energy efficiency, the applicant has committed to install a four-pipe hydronic system for heating and cooling purposes.

Transportation: The site is located within the Central Business District of Crystal City, which is well served by a local and regional multimodal transportation network.

The Department of Environmental Services (DES) collected daily traffic count data for a number of locations proximate to the site.

Historic Daily Traffic Volumes		2005	2007	2009
20th St. S.	between Jeff Davis Hwy & Crystal Dr	-	4,650	4,850
Crystal Dr.	between 20th St. and 23rd St.	9,400	9,050	8,650
Crystal Dr.	between 18th St. and 20th St.	-	11,200	9,850

Trip Generation: A Traffic Impact Analysis (TIA) submitted by the applicant, prepared by Gorove/Slade Associates Inc., dated September 15, 2011 assessed the adjacent street system with the proposed development. The TIA assumed a site build out including 755,000 square feet of office and 5,000 square feet of retail space, which is an increase of approximately 350,000 square feet of office on site from the existing development. The development is projected to

generate 577 AM and 463 PM peak hour vehicle trips upon completion, an increase of 209 AM and 182 PM peak hour trips.

The analysis showed that a number of movements and intersections within the study area currently operate at unacceptable levels of service (LOS). The majority of the movements with an unacceptable LOS occur at the larger more complex intersections of Route 1 at 20th Street South and Route 1 at 23rd Street South, as well as the adjacent intersections of South Clark Street at 20th Street South and South Clark Street at 23rd Street South. Additionally the intersection of 23rd Street South and Crystal Drive operates at an unacceptable level of service in the PM peak hour in large part due to the failing LOS of the northbound left turn from Crystal Drive to 23rd Street South.

With the proposed development and associated signal timing modifications, the existing intersections and movements operating under unacceptable levels of service would continue to be challenged. However, the proposed development would not significantly further degrade vehicle operations within the study area when compared to existing conditions.

Street and Sidewalk Network: The Crystal City Sector Plan and the Master Transportation Plan classify Crystal Drive, 18th Street South and 20th Street South as Type A (Retail-Oriented Mixed-Use Arterial) streets. South Bell Street is classified as a Type B (Urban Mixed-Use Arterial) street. While Crystal Drive, 18th Street South and 20th Street South are all classified as Type A arterial streets, the Crystal City Sector Plan proposes different cross sections for each street. The table below summarizes the proposed street cross sections for the streets adjacent to the project.

Street	Typology	Curb-to-Curb Width	Number of Travel Lanes	Transit Lane	On-Street Parking	Bike Lane
Crystal Dr.	Type A	59 feet	3	NB	SB	SB
18th St. S.	Type A	75 feet	4	Center WB	EB	EB/WB
20th St. S.	Type A	61 feet	4	None	None	EB/WB

The Crystal City Sector Plan identifies appropriate streetscape cross sections for each sidewalk within Crystal City. The Crystal Drive and 18th Street South frontages of the project are identified as 15 to 18 feet – commercial/mixed sections. The 15 to 18 foot section provides a minimum 6-foot street tree and furniture zone and a 6-foot minimum clear sidewalk with additional room for a café/shy zone. For 20th Street South, the Crystal City Sector Plan proposes an 18 to 22 foot – commercial/mixed section. The 18 to 22 foot section provides a minimum 6-foot street tree and furniture zone and a 6-foot minimum clear sidewalk with additional room for a wider café/shy zone

Crystal Drive: The project proposes to reconstruct the curb between 20th Street South and 18th Street South to provide a curb-to-curb width of 59 feet. The proposed sidewalk includes nubs at each end of the block, shadowing the parking lane, to reduce the pedestrian crossing distance across Crystal Drive. This is consistent with the Crystal City Sector Plan, as the 59-foot section provides three travel lanes, a dedicated northbound transit lane, along with on street parking and a bike lane in the southbound direction. The streetscape proposed for Crystal Drive is also consistent with the Crystal City Sector Plan by providing a minimum of a 15.5-foot section

including a six foot wide sidewalk and a furniture and planning zone. At the south end of the site, the sidewalk flares out, providing additional sidewalk area. The streetscape on the eastside (off-site) of Crystal Drive is proposed to remain in its existing configuration.

18th Street South: The Crystal City Sector Plan calls for 18th Street South to be rebuilt from Crystal Drive to Route 1 providing a 75-foot wide street section. The ultimate section for 18th Street South would support four travel lanes, a dedicated center running eastbound transit lane, along with bike lanes in each direction and on-street parking on the north side of the street adjacent to the proposed Metro Market Plaza park/open space proposed for Block G-2. With the construction of the interim park at the northern end of the property, the project proposes to establish the southern curb of 18th Street South in its ultimate location. The 75-foot section would ultimately occur with redevelopment on the north side of 18th Street South. As part of Arlington County's planned improvements to the street network in Crystal City, the County is planning interim improvements along 18th Street South by providing a 51-foot street cross section adjacent to the interim park, moving the northern curb approximately five feet north. Until the County's improvements are constructed, the project would permit a 45.5-foot wide street cross section, which can support up to four travel lanes.

Adjacent to the interim park, the proposed streetscape is proposed as a 16 foot wide minimum section, which is consistent with the range proposed in the Crystal City Sector Plan. In this area, the sidewalk and the interim park merge into one space complementing each other.

20th Street South: The project proposes to reconstruct 20th Street South to provide a 54.5 foot wide section along the site's southern frontage. This cross section would provide 2 travel lanes in each direction and on-street parking along the south side of the street. Given the proposed garage and loading entrances that will consume over 50% of the site plan area's frontage, the project does not propose on-street parking on the northern side of the street, which is recommended by the Crystal City Sector Plan for this area. Instead, this area that would have been used for on-street parking (maximum of two constrained spaces) has been incorporated into the streetscape. This maintains a building location along 20th Street South that is consistent with the Crystal City Sector Plan while reallocating some of the area for on-street parking for sidewalk area. This results in a streetscape that will be a minimum of 27.5-feet wide, inclusive of tree and furniture zones.

Transit Access: The project site is currently well served by transit. With the implementation of planned transit improvements, the area will be accessible by transit to a wider area than currently provided. The site is within a few hundred feet of both the Crystal City Metro station and the Crystal City VRE station. The Crystal City Metro station is served by the Blue and Yellow lines and has an average weekday entry/exit volume of 29,400 passengers. The VRE station is served by the Manassas and Fredericksburg lines, with 30 minute headways during peak periods.

In addition to train service, the area is well served by bus lines. The Metrobus 9S, 10A, 10E, 16H, 23A and 23C routes stop within the vicinity of the site. The area is also served by bus routes operated by Omniride and Fairfax Connector, providing regional transit services to the area.

In addition, the Crystal City Sector Plan proposes high frequency transit along Crystal Drive and South Clark Street with the construction of the Crystal City/Potomac Yard transitway, with a stop just north of the site at 18th Street South. The transitway is proposed to provide service between the Braddock Road Metro station (in the City of Alexandria) and the Pentagon City Metro station. The proposed Columbia Pike Streetcar will link with the transitway in Pentagon City. With the adoption of the 2013-2022 CIP it is anticipated that Route 1 Corridor Streetcar project will complete construction in December 2018, with substantial use in January 2019.

Bicycle Access: The site is well served by on-street and shared bike lanes with connections to the area's regional trail network. To further support cycling, Crystal City and Pentagon City were Arlington's first neighborhoods to be provided with Capital Bikeshare stations. The Crystal City area currently has 10 Capital Bikeshare stations that are accessible to the public.

The project proposes providing 14 on-street bicycle parking spaces primarily along Crystal Drive, 28 bicycle parking spaces in the existing courtyard central to the block and 100 secure bicycle parking spaces in the garage for use by the buildings employees and visitors.

Transportation Demand Management (TDM): The applicant has agreed to implement a Transportation Management Plan (TMP) to provide a program oriented towards decreasing single occupancy vehicle (SOV) trips to and from the site. With the proposed parking ratio of 1 parking space per 1,000 square feet of office space, the parking supply would support only 30%-35% of employees and visitors driving to the site. The proposed TMP will help ensure that the building will function effectively while promoting the wide range of local and regional multi-modal transportation options available to the building's occupants. Staff supports the proposed TMP program and finds it to be consistent with the County's adopted policies. As proposed by Condition #50, the TMP program will be implemented by the developer to include the major elements summarized below:

- Designation of a Transportation Coordinator to oversee the TMP program.
- Contribution of \$46,784 per year for thirty (30) years to Arlington County Commuter Services (ACCS) in support of the TMP program.
- Provision of SmartTrip[®] cards preloaded with a \$65.00 balance to office, retail, and on-site property management and maintenance employees.
- Display and distribution of transit related information.
- Submission of an annual report to the County regarding TDM activities of the site.
- Participation in transportation performance monitoring studies of the site.
- Provision of bicycle parking consistent with Arlington County's standards.

UTILITIES: The site is well served by utilities and no utility replacement or upgrades have been identified. Previous utility work by the applicant has been completed to maintain utility service to the remaining buildings on the block independent of this site.

DISCUSSION:

Approved Policies and Plans:

Crystal City Sector Plan: In response to the 2005 Base Realignment and Closure Commission (BRACC) recommendations, the County initiated a planning process to develop a future vision for Crystal City. The Crystal City planning process involved a comprehensive study of many issues including land use, transportation, public open space, built form and character, parking, sustainability, market demand, economic feasibility, and infrastructure financing. With a planning horizon of 2050, the Sector Plan establishes an overall future vision for Crystal City as a “complete, urban community,” and provides a planning framework to allow the neighborhood to thrive in a post-BRACC era. The County Board adopted the Crystal City Sector Plan in September 2010. As a complete long-range planning guide for public and private reinvestment in Crystal City, the Crystal City Sector Plan includes many specific recommendations aimed at achieving the vision, including key strategies to:

- Encourage redevelopment through potential increases in density in strategic locations to achieve many of the public realm improvements and other goals of the plan;
- Improve neighborhood form with development guidelines for build-to parameters and enhanced sustainable urban design;
- Encourage a well-balanced mix of land uses and create active street life to increase safety and walkability;
- Improve accessibility, circulation, and way finding via a comprehensive and multimodal transportation network;
- Create new and/or improve existing public open spaces as part of a network of diverse, usable, accessible and high-quality parks and plazas; and
- Finance and implement improvements to the public infrastructure networks of streets, transit, and public open spaces needed to support future growth in Crystal City.

Crystal City Block Plan: The “C-O-Crystal City” zoning district requires the submission of a Crystal City Block Plan (CCBP) for all development proposals involving properties located east of Jefferson Davis Highway. In conjunction with SP #421, the applicant has submitted a Crystal City Block Plan for Blocks J-K, as identified in the Sector Plan.

As part of the work to develop the “C-O Crystal City” zoning district, the Crystal City Block Plan mechanism was also developed as a new block level planning process to:

- Provide a tool to evaluate the consistency of a proposed site plan as it relates to the Sector Plan, and make sure that proposed new buildings do not preclude the future achievement of planned improvements in nearby locations;
- Track the incremental redevelopment on a block to ensure that Crystal City, circa 2050, reflects the vision established in the Sector Plan, and monitors the build out in relation to the timing and sequencing of desired community improvements;
- Provide opportunities to update or refine the Sector Plan policies or vision for a block; and
- Maintain operations and functionality of Crystal City systems and infrastructure throughout periods of incremental redevelopment.

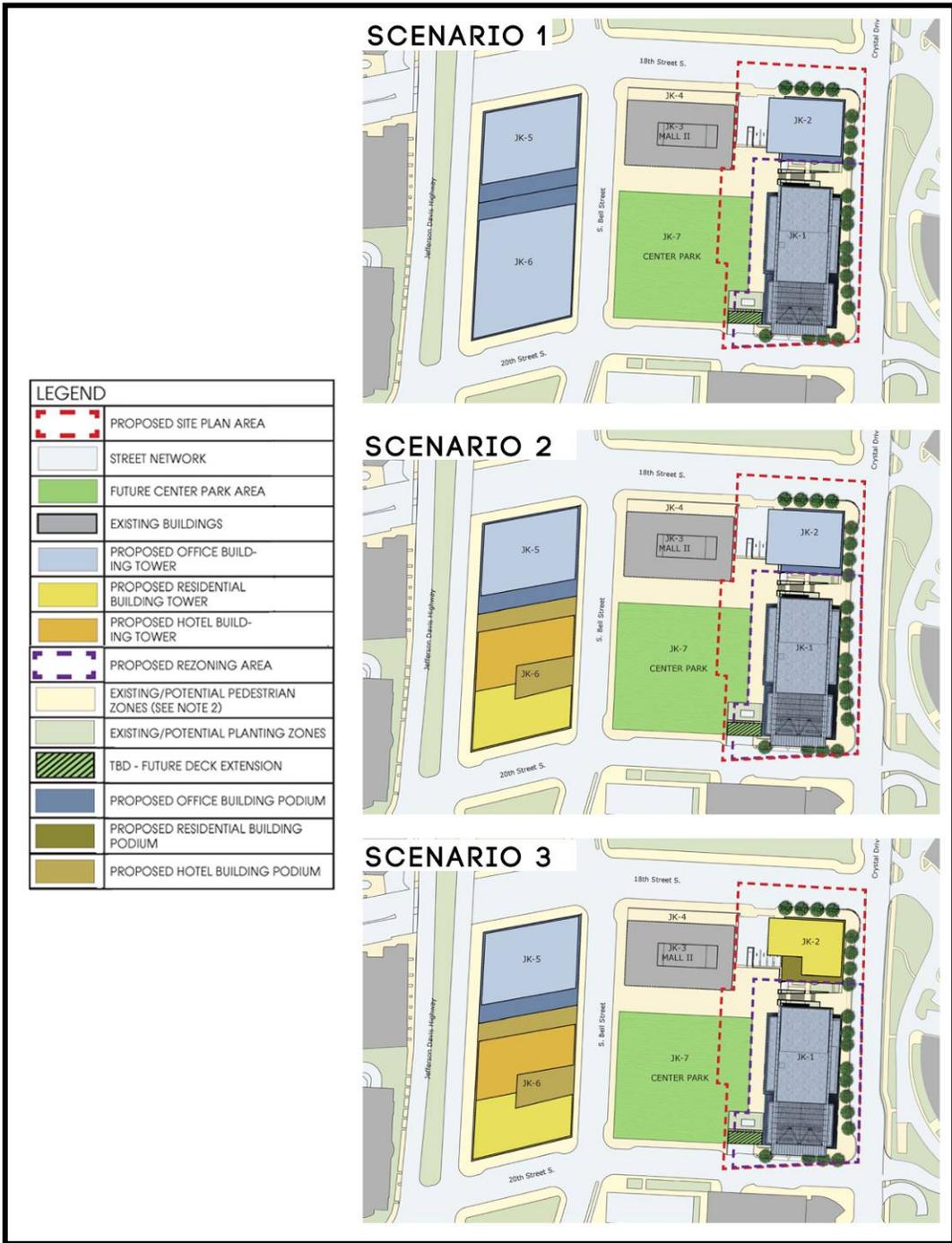
The proposed Crystal City Block Plan for Blocks J-K is the first application of a Crystal City Block Plan in the County, and is generally consistent with the vision established in the Sector Plan for the block and is within the “C-O Crystal City” District provisions of the Zoning Ordinance. The first section of the CCBP includes baseline information, such as existing development on the block, Sector Plan policy maps, parcel ownership maps, and net buildable area. It also includes maps that show conceptually how the pedestrian and street connections on the block could evolve in the future to meet Sector Plan goals. The culmination of the CCBP is a proposed map (or maps) that indicate development scenarios with conceptual future building locations, use mix, tower coverage, and public open space and transportation elements for the entire block. If adopted by the County Board, a CCBP serves as an updated or refined vision for the block that supports the Sector Plan, with no additional development approvals beyond those of the proposed site plan. As a guide, the CCBP is a general concept for all property on the block and will evolve over time. Finally, all statistics, calculations, building configurations, uses, and other aspects of the CCBP for non-site plan areas are planning estimates only, and are expected to change as more detailed site plans for redevelopment are proposed in the future.

Per the established framework for the review of proposed Crystal City Block Plans, a Crystal City-wide community services and amenities inventory is also to be included as part of the CCBP review and discussion. Generated by the Crystal City Citizen Review Council (CCCRC) in consultation with staff, the main purpose of this inventory is to help provide continual awareness among the community and the County Board on progress made towards meeting the Sector Plan’s community-oriented service and amenity goals. To be used in the context of the Planning Commission committee review of the CCBP, this inventory would help inform the committee’s findings on the proposal, with particular regard to potential opportunities for achieving desired community services or amenities on the subject block.

Crystal City Block Plan, Blocks J-K: The proposed Crystal City Block Plan for Blocks J-K provides existing conditions information for the block, exhibits and text reflecting the Sector Plan guidance for the block, and summarizes the applicant’s position on how the proposed site plan and block plan will meet Sector Plan goals. It also compares existing and proposed pedestrian and street connections across the block. Finally, it illustrates three proposed block plan scenarios, with development characteristics summarized as follows:

Crystal City Block Plan, Blocks J-K, Development Characteristics:

Scenario 1:	Building	ID	Office GFA	Retail GFA	Res. GFA	Hotel GFA	Total GFA
Maximum # of Office Buildings	1900 Crystal Dr.	JK-1	719,704	11,290	0	0	730,994
	Future Site	JK-2	345,150	3,000	0	0	348,150
	Mall II	JK-3	312,858	0	0	0	312,858
	Mall II Residual	JK-4	0	0	0	0	0
	Future Site	JK-5	594,400	6,000	0	0	600,400
	Future Site	JK-6	762,125	10,000	0	0	772,125
	Center Park	JK-7	0	0	0	0	0
	TOTAL			2,734,237	30,290	0	0
Scenario 2: Mid-Range# of Office Buildings	Building	ID	Office GFA	Retail GFA	Res. GFA	Hotel GFA	Total GFA
	1900 Crystal Dr.	JK-1	719,704	11,290	0	0	730,994
	Future Site	JK-2	345,150	3,000	0	0	348,150
	Mall II	JK-3	312,858	0	0	0	312,858
	Mall II Residual	JK-4	0	0	0	0	0
	Future Site	JK-5	594,400	6,000	0	0	600,400
	Future Site	JK-6	0	10,000	363,625	363,625	737,250
	Center Park	JK-7	0	0	0	0	0
	TOTAL			1,972,112	30,290	363,625	363,625
Scenario 3: Minimum # of Office Buildings	Building	ID	Office GFA	Retail GFA	Res. GFA	Hotel GFA	Total GFA
	1900 Crystal Dr.	JK-1	719,704	11,290	0	0	730,994
	Future Site	JK-2	0	3,000	325,200	0	328,200
	Mall II	JK-3	312,858	0	0	0	312,858
	Mall II Residual	JK-4	0	0	0	0	0
	Future Site	JK-5	594,400	6,000	0	0	600,400
	Future Site	JK-6	0	10,000	363,625	363,625	737,250
	Center Park	JK-7	0	0	0	0	0
TOTAL			1,626,962	30,290	688,825	363,625	2,709,702



*Crystal City Block Plan, Blocks J-K, Scenarios 1-3
 Source: Compiled from Crystal City Block Plan JK-1*

The resulting use mix ratio for the block is a key element of the CCBP, and varies across the scenarios. While the Sector Plan sets forth general use mix goals for each block, the CCBP, with its build-out scenarios, demonstrates how future development can contribute to an overall block condition that meets the goals of the Sector Plan. The Sector Plan use mix goal for Blocks J-K is

stated as “Residential, Commercial, Hotel, or Mixed-Use: 70 % Minimum Office” Based on the three proposed scenarios, the resulting use mix would vary as shown in the following table:

Crystal City Block Plan, Blocks J-K, Use Mix Comparison:

USE	PERCENT OF BLOCK GFA		
	Scenario 1	Scenario 2	Scenario 3
Office	98.9	72.2	60.0
Retail	1.1	1.1	1.1
Residential	0	13.33	25.4
Hotel	0	13.33	13.4
TOTAL	100	100	100

The resulting tower coverages across the block are another key element of the CCBP, and also vary across the scenarios. Tower coverage is defined as the gross floor area of the largest single floor above the fifth floor of a building expressed as a percentage of a site’s buildable area. In providing generalized conceptual tower floor plates for future buildings and the specific proposed site plan tower floor plates, the net tower coverage for the block can be estimated in each scenario. Per the Sector Plan, the maximum tower coverage for the block is limited to 85%. Based on the three proposed scenarios, the resulting tower coverages would vary as listed in the following table:

Crystal City Block Plan, Blocks J-K, Tower Coverage Comparison:

Building		NET TOWER COVERAGE (%)		
		Scenario 1	Scenario 2	Scenario 3
1900 Crystal Dr.	JK-1	62.6	62.6	62.6
Future Site	JK-2	60.5	60.5	50.0
Mall II	JK-3	100.0	100.0	100.0
Mall II Residual	JK-4	0.0	0.0	0.0
Future Site	JK-5	84.8	84.8	84.8
Future Site	JK-6	88.5	67.4	67.4
TOTAL		76.2	70.8	69.4

Staff Analysis: The proposed Crystal City Block Plan for Blocks J-K is generally consistent with the guidance provided in the Crystal City Sector Plan. Although the block plan includes three build out scenarios, they all share common elements that align with Sector Plan goals. All three scenarios illustrate four new building sites, an expanded Center Park, and the retention of South Bell Street as called for in the Sector Plan. All three scenarios would also include important at-grade and below-grade pedestrian connections as recommended by the Sector Plan. In addition, the tower coverage for each scenario is well under the 85% maximum permitted by the Sector Plan. In terms of use mix, scenarios one and two comply with the Sector Plan target use mix with a minimum 70% office across the block. In comparison, scenario three would fall short of that target with an office use mix of 60% of the space on the block. Given other key Sector Plan goals that would be achieved with scenario 3, such as increasing the overall share of residential development (especially near the Metro station), staff believes the 60% office use mix across the block may be an acceptable condition and should be retained for future consideration. Given

these considerations, staff believes that the proposed Crystal City Block Plan for Blocks J-K (with all three of its scenarios) is predominantly consistent with the Sector Plan goals and provides appropriate guidance to supplement and update that which was provided in the Crystal City Sector Plan when adopted in 2010.

Building Design: Section 3.11 of the Crystal City Sector Plan provides Design Guidelines for use as reference in the redevelopment of Crystal City. These guidelines recommend that all new and substantially renovated buildings incorporate a design scheme that provides a distinct podium, middle and top. As defined by the Crystal City Sector Plan, the podium typically consists of the lower five to six stories of the building, while the remaining stories consist of the middle and top elements that comprise the building's tower. The middle consists of those stories above the podium, but excluding the top elements that are defined as the upper two to four stories. The Design Guidelines include the following categories:

Maximum Allowable Height: The Crystal City Sector Plan recommends that the combined height of the podium and tower for development of the subject site should not exceed 300 feet as measured per the requirements of the Zoning Ordinance. The Zoning Ordinance defines building height as the measurement of the vertical distance of the building from the average elevation of the site to the highest point of the roof surface. The average site elevation for the site plan area is 41.7 feet; therefore, no portion of the building can exceed an elevation of 341.7 feet. The proposed building is 297.13 feet, which is an elevation of 338.83 feet.

Minimum Frontage Requirements: The Crystal City Sector Plan recommends that the podium should engage the Recommended Build-to-Line (RBL) within zero to two feet for a minimum of 80% of the street frontage and that no portion of the building should be located greater than ten feet from the RBL. The proposed building has an RBL on Crystal Drive and 20th Street South and engages the RBL for greater than 80% on both street frontages. A notch in the proposed building's northeast corner is recessed approximately 20 feet from the RBL, which is in excess of the ten foot setback suggested by this guideline. However, this notch provides several potential benefits. As proposed, it adds greater detail to the north elevation by providing definition through this recessed building mass. In addition, this notch makes the mid-block staircase more visible and inviting from the Crystal Drive sidewalk, and may also provide additional area for outdoor seating to support the adjacent ground floor retail space. For these reasons, the proposed notch and setback at this corner is deemed by staff as an appropriate modification of this guideline.

Required Building Frontage: The Crystal City Sector Plan recommends that every building should have at least one podium frontage on an RBL for a minimum of 65 feet along the RBL. The proposed building has its podium fronting on an RBL on Crystal Drive and 20th Street South for greater than 65 linear feet on each street frontage.

Encroachment: The Crystal City Sector Plan recommends that no building should encroach within the public right-of-way or any open spaces, with the exception of building frontage elements such as awnings, canopies, bays, blade signage and other similar features. No portion of the proposed building aside from awnings and canopies encroach into the public right-of-way or open spaces.

Podium Height: The Crystal City Sector Plan recommends that the maximum height of any podium (defined as the lowest portion of the building consisting of up to the first five to six floors) should not exceed 65 feet. The first two floors of the proposed building comprise the podium, which is 30.3 feet in height.

Architectural Features Encroachment: The Crystal City Sector Plan recommends that buildings targeted for inclusion of architectural features may permit encroachments of up to four feet beyond the RBL for one-third of the building's frontage. The proposed building is not targeted for inclusion of architectural features.

Podium Separation Requirement: The Crystal City Sector Plan recommends that buildings provide a minimum podium separation of 40 feet, except when podiums are separated by an alley or other vehicular way where a 25 foot separation can be provided. The proposed building's podium is located approximately 70 feet from the Mall II and IV buildings. The future building to be located in the northeast portion of the block will need to be situated at least 40 feet from the proposed building's podium, which can be accomplished without impacting the jump-elevator or staircase that is proposed between the 1900 Crystal Drive building and the interim park.

Base Frontage: The Crystal City Sector Plan recommends that the ground floor of the podium base should be distinguished from other stories of the building by providing a pedestrian friendly quality with a greater floor-to-ceiling height than other floors. Because of the grade differential between Crystal Drive and the future Center Park portion of the block, the building has been designed with a podium that engages the sidewalk along Crystal Drive and the future Center Park. On the east façade, the podium presents itself as a two-story element (21 foot floor-to-floor height) with lobby and retail entrances from Crystal Drive. The second level of the podium (14 foot floor-to-floor height) is oriented west towards the future Center Park with lobby and flexible retail/office use entrances from this area.

Top of the Podium: The Crystal City Sector Plan recommends that the top of the podium should have a horizontal architectural unity to differentiate this portion of the building from the tower. The proposed building includes recessed building terraces above the southern portion of the building and a metal canopy above the second floor to separate the podium from the tower. In addition, the podium extends approximately two feet from the face of the northern portion of the tower.

Location of Parking in Podiums: The Crystal City Sector Plan recommends that any parking provided within the podium should be screened with active building liners and that garage entry doors should not exceed 25 feet in width. Vanpool parking is proposed within the first floor of the building, though this area is located in the western portion of the proposed building beneath the second floor and the future Center Park portion of the block and will not be visible from public view. The existing garage entrances on the north and south sides of the block will be utilized and an additional point of access will be provided to access the vanpool spaces in the first floor of the proposed building. Loading and refuse areas will be accessed from the south side of the building. The doors for each of the three existing garage entrances on the north and south sides of the block will be approximately ten feet wide while the two new points of entry

will be approximately fifteen feet wide. The two service areas (loading and refuse collection) will each be 25 feet wide.

Tower Separation: The Crystal City Sector Plan recommends that buildings maintain a minimum separation of 60 feet between their towers. The proposed building's tower will be located approximately 70 feet from the Mall II and Mall IV buildings. The future building to be provided in the northeast portion of the site will need to situate its tower 60 feet from the proposed building's tower, which can be accomplished without impacting the jump elevator or staircase that will be located between the 1900 Crystal Drive building and the interim park.

Tower Coverage: The Crystal City Sector Plan recommends that tower coverage (the percentage of tower coverage as measured above the fifth floor) for the proposed site plan area not exceed 85%. The proposed tower coverage for the site plan is 63.7%.

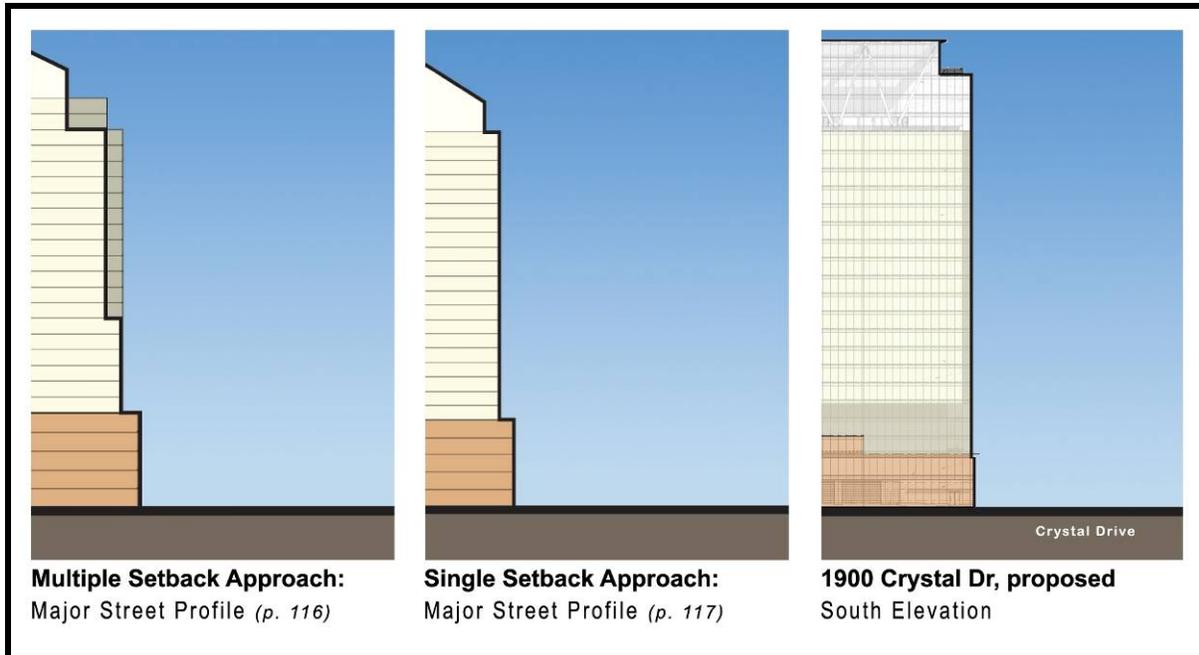
Forming Towers: The Crystal City Sector Plan recommends that tower massing for each building be designed to permit light, air and views to penetrate into and through each block. To accomplish this, the Sector Plan recommends that commercial office floor plates above the podium not exceed 35,000 square feet up to 250 feet of height and not exceed 30,000 square feet above 250 feet of height. The proposed building has floor plates of varied sizes, but none of the floors below 250 feet in height exceeds 33,576 square feet and no floor above 250 feet exceeds 27,443 square feet.

Building Tops: The Crystal City Sector Plan recommends that each building's top (upper two to four floors of the tower) provide a distinctive treatment to differentiate this portion of the building from its other parts. The proposed building's top (floors 21-24) is differentiated from the rest of the building by providing stepbacks in the southern half of the top above the 20th and 23rd floors, incorporation of spandrel glass panels for the entirety of the 24th floor, provision of a terrace above the 21st floor, and inclusion of a building canopy that rises 1.6 feet from the north side of the building to the south side.

Mechanical Penthouse: The Crystal City Sector Plan recommends that all penthouse structures should be setback from the edge of the roof at a distance no less than the height of the wall and should include an enhanced façade treatment. The proposed building's penthouse (24th floor) is setback from the lower floor on the east, south and west elevations. This penthouse includes both mechanical equipment as well as optional occupiable office space. As the penthouse is a component of the building's top, it will be skinned in a manner to differentiate itself from the rest of the building, but not in a way that is uncharacteristic with the overall architectural theme of the building.

Staff Analysis: Overall, the applicant's proposed design for the 1900 Crystal Drive building is generally consistent with the Crystal City Sector Plan's Design Guidelines. Though stepbacks above the base is not a prescriptive element of the Design Guidelines, staff believes that the design does not provide a distinctive separation between the podium and tower for the entirety of the building. The terrace above the second floor in the southern portion of the building provides an effective treatment for this area. However, this treatment is not replicated for the northern portion of the building. As proposed, the only distinctions between the podium and the tower in

the northern portion of the building are provided through a slight two-foot separation between the faces of the podium and tower and a metal canopy above the second floor. The Design Guidelines provide examples of how buildings can meet these recommendations, which is provided below along with the profile of the proposed building:



Source: DCPHD Staff

Staff has recommended that a similar recessed area, as shown above in the shaded portion of the south elevation, be provided for the northern portion of the building, but at a lower height. It is staff's opinion that incorporation of an element such as recommended here could further assist in dividing the mass of the building and define the entirety of the podium in a more effective manner. By providing more distinctive, deeper setbacks between the building's three elements (podium, tower, and top), the building would be less boxy and less imposing from a massing perspective; thus staff feels that with the incorporation of additional setbacks between the podium and the tower, that the building would be more consistent with the designs envisioned by the Crystal City Sector Plan.

Paving Treatment: The County's standard paving treatment for sidewalks consists of a poured in place concrete walkway, with allowances for non-standard materials or surface treatments to be provided in conformance with sector plan standards. The Crystal City Sector Plan recommends that the County's standard sidewalk treatment be provided within the clear zone, but that pressed concrete pavers could be used for portions of the sidewalk outside of the clear zone. The 1900 Crystal Drive site plan proposes to provide six-foot wide clear zone walkways with a paving treatment consisting of unit pavers placed on top of a concrete base. The paving treatment proposed by the applicant is inconsistent with both the County's and the Crystal City Sector Plan's sidewalk paving standard. The site plan conditions (Condition #21) address this issue by requiring conformance with the County standard, which can be addressed with the final site plan submission.

Center Park: The Crystal City Block Plan recommends that the subject block be improved with the primary open space amenity for Crystal City. Per the Sector Plan, Center Park is envisioned as an approximately 74,000 square foot amenity to be designed with a civic focus. Center Park is envisioned for the southeast quadrant of the intersection of South Bell Street (future Clark-Bell Street) and 20th Street South, which requires the removal of the Crystal Mall IV building (319,001 square feet). A portion of the future Center Park exists as the internal courtyard between the Crystal Mall II, III and IV buildings. Until the Crystal Mall IV building is removed, the central courtyard will remain, which currently provides open space and civic activity space for the Crystal City community, but in a much smaller size than will be afforded with the future Center Park. In order to achieve Center Park, the Crystal City Sector Plan recommends that a detailed strategy be employed for the purpose of providing this amenity (Crystal City Sector Plan Implementation Item #29). As such, staff recommends that a condition be approved for both the amendment to SP #56 (Condition #4) and for SP #421 (Condition #84) that restricts consideration of further redevelopment of the J-K Blocks until a plan is submitted to the County Manager that provides a process that ensures the creation of Center Park. Implementation of the aforementioned conditions would satisfy the intent of the Crystal City Sector Plan's guidance for creation of a strategy to achieve Center Park.

Modification of Use Regulations: For the site plan amendment to SP #56, the applicant requests that the density (3.95 FAR) and the amount of parking provided (1,505 spaces; 1 space/733 square feet) be permitted to remain after the removal of some of the land area, even though the density exceeds that allowed by the "C-O" zoning district. As the site plan amendment to SP #56 requests only to remove land area from the site plan with no physical alterations to the buildings or parking supply that serves the remaining buildings, and considering that no further development of this site plan will be permitted without future rezoning to the "C-O-Crystal City" zoning district to be in conformance with the Crystal City Sector Plan, staff is supportive of these modifications that would allow the existing uses to continue once the land area that will support the new site plan (SP #421) is removed from SP #56.

In association with SP #421, the applicant requests approval of a modification of Section 33.A.3 of the Zoning Ordinance to permit tandem parking spaces to be considered as full size standard parking spaces for purposes of meeting the minimum parking space requirement. In accordance with the "C-O-Crystal City" zoning district, 731 parking spaces are required (1 space/1,000 square feet). The applicant proposes to provide 732 spaces (1 space/999 square feet), which includes the provision of 121 tandem parking spaces. Staff has determined that the provision of tandem parking spaces for this project would be appropriate as long as they are managed effectively. Condition #51 requires the submission and implementation of a parking management plan, which includes a provision for defining a method of how these spaces will be utilized in an effective and efficient manner. Therefore, staff is supportive of this requested modification of use.

Community Benefits: Both the Crystal City Sector Plan and the "C-O-Crystal City" zoning district provisions provide guidance for consideration of redevelopment proposals within Crystal City. Implementation of the Crystal City Sector Plan's goals and recommendations must be considered with each redevelopment proposal. Where additional density is proposed in an

amount greater than the base density identified by the Crystal City Sector Plan, it should be evaluated based upon the project's ability to mitigate the impact of this additional density and the extent to which the proposal meets the goals of the Crystal City Sector Plan.

The 1900 Crystal Drive project is the first site plan proposal for a property located in Crystal City since the adoption of the Crystal City Sector Plan. As such, it is imperative to formulate an economic environment that supports the construction of this building, which will serve as a catalyst for future redevelopment activities in Crystal City and the accomplishment of the goals of the Crystal City Sector Plan. Staff has analyzed current market conditions, and views the 1900 Crystal Drive project as a necessary step in creating an asset that initiates market momentum for other projects to redevelop in accordance with the recommendations of the Crystal City Sector Plan. The initial projects, such as 1900 Crystal Drive, are significant investments that are economically challenged considering current market rental rates and vacancies in Crystal City.

Therefore, the construction of this building, and the significant increase in the tax base that will be contributed, are benefits that will be provided by this project, though they would not be benefits for all future Crystal City projects. Further, staff has proposed a condition (#86) which requires that in the event the applicant does not commence construction of the building within three years of County Board approval of this site plan, that the applicant will obtain approval of a plan by the County Manager that defines the amount and timing of additional community benefits to be provided by this project. In addition, provision of the staircase and elevator (cost of approximately \$960,000) on a permanent basis is an improvement not recommended by the Crystal City Sector Plan, but is nonetheless an important aspect of this proposal. Other community benefits provided by this site plan project include:

- Affordable Housing contribution: \$2,990,059;
- Utility Underground Fund contribution: \$154,000;
- Public Art contribution: \$75,000;
- Multi-space parking meter contribution: \$20,000;
- Transportation Management Plan (\$1,403,520 contribution to ACCS, \$65 Metro SmartTrip cards to employees, and transportation performance monitoring studies);
- Off-site streetscape improvements to the south side of 18th Street South: \$100,000;
- Street frontage improvements;
- Streetscape improvements;
- Granting of easements over public areas (temporary and permanent);
- Interim park improvement: \$1,800,000;
- LEED Gold with 20% energy savings; and
- Four-pipe hydronic system for heating and cooling purposes: \$2,560,000.

Staff believes that the community benefits provided by this project, which would not be provided if the Crystal Mall III building was rehabilitated rather than redeveloped, are consistent with the goals of the Crystal City Sector Plan and will allow construction of a building that will create market momentum and encourage other properties to undergo similar redevelopment efforts.

Community Process:

SP #421
1900 Crystal Drive
PLA-6257

Long Range Planning Committee (LRPC): The LRPC reviewed the applicant's Crystal City Block Plan for Blocks J-K (CCBP-JK-1) on February 21, 2012. Based on staff's analysis, the proposed CCBP submission and the three proposed block plan map scenarios are predominantly consistent with the area-wide and block-specific Sector Plan guidance for the block. However, in the LRPC review of the block plan, members commented on several of the CCBP's elements. First, their discussion appeared to provide more support for Scenarios 2 and 3, given concerns with the almost exclusively office character of Scenario 1. Second, in regard to Scenario 3, they noted that its office use mix of less than the 70% goal in the Sector Plan could be justified based on other policies of the plan, such as attaining a build out with more residential than office GFA, and reaching an evening population at least half the daytime population (Crystal City Sector Plan Policy Directive LU2). Finally, LRPC discussion acknowledged the proposed notch in the southeastern corner of the future Center Park location, which was not envisioned in the Sector Plan. In response, the applicant revised the CCBP to show a phased approach to decking over the garage entry point, effectively eliminating this notch.

At the time of the LRPC Meeting, the Crystal City Citizen Review Council's (CCCRC) community services and amenities inventory was still under development, and therefore the LRPC discussion for this first block plan submission did not include a specific review of the inventory. Currently, the CCCRC is continuing their work on this inventory, with the anticipated next step of establishing benchmarks or standards wherever possible. Given the nearly complete status of the inventory, it is expected that the review of the next CCBP proposal will include an LRPC discussion around the community services and amenities inventory for the pertinent block.

Site Plan Review Committee (SPRC): The SPRC reviewed the 1900 Crystal Drive proposal at four meetings: February 21, 2012, March 26, 2012, April 12, 2012 and May 10, 2012. The discussion by the SPRC revolved around the standard agenda with particular focus paid to site design, building architecture, transportation infrastructure, interim park design, and community benefits. Each of these issues was discussed from the perspective of analyzing the proposal's conformance with the recommendations of the Crystal City Sector Plan. The applicant made numerous revisions to the site plan to address issues discussed with the SPRC, with additional modifications provided following the completion of the SPRC's review of proposal.

Transportation Commission: The Transportation Commission discussed this item at their August 30, 2012 meeting and recommended approval of the project (9-0). The results of the Transportation Commission meeting will be explained in a supplemental report.

Planning Commission: The Planning Commission discussed this item at their September 6, 2012 meeting and recommended approval of the project (10-0). The outcome of the Planning Commission meeting will be discussed in a supplemental report.

CONCLUSION: The 1900 Crystal Drive development is the first site plan redevelopment proposal for a property located in Crystal City since the adoption of the Crystal City Sector Plan. The goal of this Sector Plan was to provide recommendations that would enable the redevelopment of Crystal City as a thriving mixed-use neighborhood in a post BRAC

environment. Considering the impacts of BRAC, it is critical to initiate the redevelopment process, which will be difficult considering market conditions in Crystal City. For this reason, it is imperative that the initial projects succeed so that other redevelopment projects can proceed, thus implementing the goals of this Sector Plan. This site plan proposal seeks to redevelop the Crystal Mall III office building with a 24-story building consisting of up to 719,704 square feet of office space and 11,290 square feet of retail space. In addition to this building, the applicant proposes to provide an interim park in the northern portion of the site that will remain until this area is subject to a future rezoning and site plan amendment to permit construction of a building. Also, the applicant proposes the construction of a staircase and elevator between the proposed 1900 Crystal Drive building and the interim park; these features which will remain in perpetuity even after the interim park is replaced. Staff believes that the proposed rezoning, Crystal City Block Plan for Blocks J-K (CCBP-JK-1), site plan amendment (SP #56), and final site plan (SP #421), with inclusion of additional building setbacks to define the building elements (podium, tower, and top), are generally consistent with the recommendations of the Crystal City Sector Plan and the provisions of the “C-O-Crystal City” zoning district. Therefore, and in consideration of the fact that this will be the initial redevelopment activity in conformance with the recommendations of the Crystal City Sector Plan, staff recommends that the County Board adopt the following: 1) the attached resolution rezoning 1.70 acres to the “C-O-Crystal City” zoning district; 2) the Crystal City Block Plan for Blocks J-K (CCBP-JK-1), dated August 6, 2012; 3) the attached ordinance to approve an amendment to SP #56 for the removal of 3.07 acres, subject to the conditions of the site plan amendment ordinance; and 4) the attached ordinance to approve a new site plan (SP #421), subject to the conditions of the site plan ordinance.

REZONING RESOLUTION

WHEREAS, CESC Mall Land L.L.C. has requested a rezoning FROM “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts TO “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts for property located at 1851 South Bell Street (to be renamed 1900 Crystal Drive) (RPC# 34-026-037 part) (“Property”); and

WHEREAS, the County Board finds that the property is located within the Crystal City Metro Station Area and the Crystal City Coordinated Redevelopment District on the General Land Use Plan; and

WHEREAS, the County Board finds that the rezoning to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts will be consistent with the General Land Use Plan Designation for the Property; and

WHEREAS, the County Board finds that the rezoning to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts will achieve goals and objectives set forth in the Crystal City Sector Plan; and

WHEREAS, the County Board finds that the rezoning to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts is required by public necessity, convenience, general welfare, and good zoning practice; and

WHEREAS, the Planning Commission recommended approval of the rezoning to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts at their meeting on September 6, 2012; and

WHEREAS, the County Manager recommends approval of the rezoning to “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts; and

WHEREAS, the County Board of Arlington County held a duly advertised public hearing on the proposed rezoning on September 15, 2012.

NOW THEREFORE, be it resolved, that the Property located at 1851 South Bell Street (to be renamed 1900 Crystal Drive), (RPC# 34-026-037 part) is hereby rezoned FROM “C-O” Commercial Office Building, Hotel and Multiple-Family Dwelling Districts TO “C-O-Crystal City” Commercial Office Building, Retail, Hotel and Multiple-Family Dwelling Districts, as shown on the attached map (Z-2556-12-1).

SITE PLAN AMENDMENT ORDINANCE

WHEREAS, an application for a Site Plan Amendment dated August 5, 2011 for Site Plan #56, was filed with the Office of the Zoning Administrator: and

WHEREAS, the Planning Commission held a duly advertised public hearing on that Site Plan Amendment on September 6, 2012 and recommended that the County Board approve it, subject to numerous conditions and has provided a letter dated September xx, 2012; and

WHEREAS, as indicated in Staff Report[s] prepared for the September 15, 2012 County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan Amendment subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan Amendment on September 15, 2012 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan Amendment:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows:
 - **Permit the existing density to be retained in SP #56 to exceed 3.8 FAR (Section 25.B.1); and**
 - **Permit the amount of existing parking spaces to serve the uses remaining in SP #56 to exceed a parking ratio of 1 space/530 square feet (Section 25.C); and**
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated August 5, 2011 for an amendment to Site Plan #56, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 1 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Amendment Application"), for a Site Plan Amendment to remove 3.07 acres from the site plan area for SP #56, for the parcels of real property known as portion of RPC# 34-026-035, 34-026-037 part, 34-026-038, 34-026-039, and 34-026-040 1800, 1801, and 1901 South Bell Street and 19999 Jefferson Davis Highway, approval is granted and the parcels so described shall be used according to the Revised Site Plan Application, subject to the following conditions , including any other applicable conditions, for the site:

1. The developer agrees that, irrespective of that stated with other conditions, after September 15, 2012, parking shall be provided for the site in the amount and approximate locations as shown on the plans dated August 6, 2012 and as reviewed and approved by the County Board and made a part of the public record on September 15, 2012.
2. The developer agrees that the overall density for the site plan shall not exceed that depicted on the plans dated August 6, 2012 and as reviewed and approved by the County Board and made a part of the public record on September 15, 2012 recognizing that the floor area of each building is approximate.
3. The developer agrees that the layout of the site shall be as provided on the plans dated August 6, 2012 and as reviewed and approved by the County Board and made a part of the public record on September 15, 2012.
4. The developer agrees that no further applications for rezoning any portions of this site plan (SP #56) shall be submitted to the County for consideration until a plan has been submitted to the County Manager for the purpose of devising an implementation process for achieving Center Park as envisioned by the Crystal City Sector Plan. The developer agrees that this plan shall be prepared by County staff, working directly with major Crystal City property owners, and that the developer agrees to fully participate in this planning process, including but not limited to providing data, information, and resources as appropriate and requested by the County. This plan shall address issues including, but not be limited to, the acquisition of the Center Park land by the County in fee or by easement, and improvements, if any, for the purpose of designing and constructing the Center Park amenity envisioned by the Crystal City Sector Plan.

SITE PLAN ORDINANCE

WHEREAS, an application for a Site Plan dated August 5, 2011 for Site Plan #421, was filed with the Office of the Zoning Administrator: and

WHEREAS, the Planning Commission held a duly advertised public hearing on that Site Plan on September 6, 2012 and recommended that the County Board approve it, subject to numerous conditions and has provided a letter dated September xx, 2012; and

WHEREAS, as indicated in Staff Report[s] prepared for the September 15, 2012 County Board meeting and through comments made at the public hearing before the County Board, the County Manager recommends that the County Board approve the Site Plan subject to numerous conditions as set forth in the Staff Report[s]; and

WHEREAS, the County Board held a duly-advertised public hearing on that Site Plan on September 15, 2012 and finds, based on thorough consideration of the public testimony and all materials presented to it and/or on file in the Office of the Zoning Administrator, that the improvements and/or development proposed by the Site Plan:

- Substantially complies with the character of master plans, officially approved neighborhood or area development plans, and with the uses permitted and use regulations of the district as set forth in the Zoning Ordinance and modified as follows:
 - **Permit tandem parking spaces to be counted in the parking ratio calculations (Section 33.A.3); and**
- Functionally relates to other structures permitted in the district and will not be injurious or detrimental to the property or improvements in the neighborhood; and
- Is so designed and located that the public health, safety and welfare will be promoted and protected.

NOW THEREFORE, BE IT ORDAINED that, as originally requested by an application dated August 5, 2011 for Site Plan #421, and as such application has been modified, revised, or amended to include the drawings, documents, conditions and other elements designated in Condition 1 below (which drawings, etc... are hereafter collectively referred to as "Revised Site Plan Application"), for a Site Plan for the 1900 Crystal Drive development consisting of up to 730,994 square feet of commercial space consisting of a building with up to 719,704 square feet of office space and 11,290 square feet of retail space, for the parcels of real property known as a portion of RPC# 34-026-037 and 1851 South Bell Street (to be renamed 1900 Crystal Drive), approval is granted and the parcels so described shall be used according to the Revised Site Plan Application, subject to the following conditions, which approval shall replace the approval of Site Plan #56, as it applies to this site, including any applicable conditions, for the site:

Note: Where a particular County office is specified in these conditions, the specified office includes any functional successor to that office. Where the County Manager is specified in these conditions, "County Manager" includes the County Manager's designee. Whenever, under these conditions, anything is required to be done or approved by the County Manager, the language is understood to include the County Manager or his or her designee.

- **The following Conditions of site plan approval (#1 through #14) are valid for the life of the site plan and must be met by the developer before issuance of the Land Disturbance and Demolition Permits, unless otherwise expressly stated in the particular condition.**

1. **Site Plan Term**

The developer (as used in these conditions, the term "developer" shall mean the owner, the applicant and all successors and assigns) agrees to comply with the standard conditions set forth below and as referenced in Administrative Regulation 4.1 and the revised plans dated August 6, 2012 and reviewed and approved by the County Board and made a part of the public record on September 15, 2012, including all renderings, drawings, and presentation boards presented during public hearings, together with any modifications proposed by the developer and accepted by the County Board or vice versa.

This site plan approval expires three (3) years after the date of County Board approval if a building permit has not been issued for the first building to be constructed pursuant to the approved plan. Extension of this approval shall be at the sole discretion of the County Board. The owner agrees that this discretion shall include a review of this site plan and its conditions for their compliance with then current County policies for land use, zoning and special exception uses. Extension of the site plan is subject to, among other things, consideration of community benefits for purposes of implementing the objectives of the Crystal City Sector Plan, inclusion of amended or additional site plan conditions necessary to bring the plan into compliance with then current County policies and standards together with any modifications proposed by the owner and accepted by the County Board or vice versa.

2. **Pre-Permit Meeting**

The developer agrees to request and attend a pre-permit meeting coordinated by County staff in a County office building prior to the issuance of any permits for the site plan. The meeting participants shall include the developer and its construction team, and relevant County staff. Relevant County staff will include the following personnel and division representatives: DCPHD Site Planner, Arlington County Police, Code Enforcement, Department of Environmental Services (DES) Transportation Planner, Department of Parks, Recreation and Community Resources (DPR) site plan liaison, Landscape Plan team, Arlington Economic Development (AED), green building staff contact, WalkArlington staff, Housing Division, and other departments as determined by the County Manager. The purpose of the pre-construction meeting is to discuss the requirements of the site plan conditions.

3. **Tree Protection and Replacement**

- a. The developer agrees to complete a tree survey, which shows existing conditions of the site and locates and identifies all trees which are three (3) inches in diameter or greater. The survey shall include any tree on adjacent sites whose dripline extends onto the subject site.
- b. ~~The~~ Prior to the issuance of the Demolition Permit, the developer agrees to file and implement a tree protection plan which will designate any trees proposed to be saved by the developer. Trees designated to be saved on the tree protection plan, or those specified to be saved by the approved site plan and shown on any filing in connection with this case, will be protected. This plan shall include any tree on adjacent sites whose dripline extends onto the subject site. The tree protection plan shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in tree protection techniques on urban sites and shall be submitted and approved, and found by the County Manager to meet the requirements of this site plan, before the issuance of the Land Disturbance or Demolition Permit.
- c. ~~Upon~~ Prior to issuance of the Final Building Permit and upon approval of the tree protection plan the developer agrees to submit to the Department of Parks and Recreation (DPR) a performance bond estimate for the trees to be saved. Upon approval of the performance bond estimate by the DPR, the developer agrees to submit to the DPR a performance bond, in the approved amount of the estimate, and the approved tree protection plan, which bond shall be executed by the developer in favor of the County before the issuance of the Final Building Permit. Prior to the release of the public improvement bond, the developer agrees to submit to the DPR as-built drawings showing the location of all saved trees.
- d. The developer agrees that any tree proposed to be saved on the tree protection plan or other filing shall be saved. At a minimum, this plan shall include:
 - (1) A site grading plan at two (2) foot intervals, including the location of all proposed improvements and utilities.
 - (2) Detailed specifications for any tree walls or wells proposed.
 - (3) A description of how and where building materials and equipment will be stored during construction to ensure that no compaction occurs within the critical root zone of the trees to be saved.
 - (4) Identification of tree protection measures and delineation of placement of tree protection.
 - (5) Any tree required to be saved pursuant to this condition, which dies (any tree which is 30% or more dead as determined by the County's Urban

Forester shall be considered to have died) prior to, or within ten (10) years of, the issuance of the Master Certificate of Occupancy shall be removed and replaced by the developer at his expense with the number of major deciduous and evergreen trees consistent with the Tree Replacement Guidelines and which meet the minimum size and other requirements of Condition #16 below, provided, however, that replacement as specified in this subparagraph (3.d.5) does not relieve the developer of any violation resulting from the failure to save identified trees.

- (6) The location of all construction trailers shall be approved either by Administrative Change approval or be shown on the Tree Protection Plan, with the construction staging's location and travel routes shown on a map approved as part of that plan. All trailers proposed to be located in the public right-of-way shall require approval by DES and Zoning staff, and the site plan's Arlington County Police representative shall receive a copy of the aforementioned map.
- e. In addition to saving identified trees, the developer also agrees to replace all trees shown on the Tree Survey that are removed as a result of the new construction in accordance with the Arlington County Tree Replacement Guidelines. The developer agrees to submit tree replacement calculations and a tree replacement plan in accordance with the Arlington County Tree Replacement Guidelines. The tree replacement calculations shall be developed by a certified arborist or other horticultural professional with a demonstrated expertise in assessing the condition of trees. Any replacement trees shall conform to the standards and specifications set forth in Condition #16 below and any replacement trees that cannot be accommodated on site will be provided in a monetary amount to the Tree Canopy Fund coordinated with Arlington County's Department of Parks and Recreation. The developer agrees to submit and obtain approval of this plan by the County Manager as part of the final landscape plan.
- f. Per Condition #3.e above, the developer agrees to make a contribution to the County's Tree Canopy Fund of at least \$2,400.00 per tree, or a greater amount specified by the County Board, for every tree that cannot be planted on site. The contribution shall be required when tree planting requirements cannot be met on the property. The payment shall be delivered to the Department of Parks and Recreation Office prior to the issuance of the Footing to Grade Permit, and evidence of compliance with this condition shall be provided to the Zoning Administrator in the form of a letter at the time of payment.

4. **Photographic Record of Development**

The developer agrees to produce and submit to the Zoning Administrator a photographic record of development, starting with a record of the site as it appears before demolition is begun, including photographic records during construction, and ending with a photographic record of the development as it appears after completion of construction. These photographs shall comply with the following specifications:

All photographic records can be either color or black and white. Submission of a photo contact sheet and 8" x 10" prints on photographic paper shall be the minimum acceptable standard. Color photographs on compact disc, print copies of the photographs, and the photo contact sheet must be date-stamped and submitted at the end of the project prior to the issuance of the Master Certificate of Occupancy.

The photographic record shall include photos taken at the following points in construction, and photos shall be submitted as taken:

- a. Before Land Disturbance and Demolition of the site (shall be submitted before issuance of the Land Disturbance and Demolition Permits)–Views of north, south, east and west facades, as location permits, of buildings to be demolished, as well as at least one photo of the site before any land disturbance including the existing physical relationship with adjacent buildings and streets. The photographic record shall also include all historic aspects of the facades of the building to be demolished, consistent with the requirements described in Condition #53 below.
- b. Site Clearance (shall be submitted before issuance of the Footing to Grade Permit)–Views of cleared site facing north, south, east and west, as location permits, with adjacent buildings and streets included.
- c. Construction Phase (shall be submitted before issuance of the Shell and Core Certificate of Occupancy Permit)–At a minimum, views of the site: during excavation, upon completion of the first floor above grade, at topping out, and during the exterior cladding phase.
- d. Site Completion (shall be submitted before issuance of the Master Certificate of Occupancy)–North, south, east and west facades of completed building or buildings, as well as at least one view of completed project in context of adjacent buildings and streets.

The photographic records for which no time is specified above, including the completed compact disc with the entire photographic history, shall be delivered to the Zoning Administrator, before the issuance of a Master Certificate of Occupancy for placement in the County archives.

Utility Fund Contribution

5. In addition to funding and constructing the utility undergrounding work as shown on the site plan drawings dated August 6, 2012, the developer agrees to contribute in the amount specified in Site Plan conditions to the County utility fund before the issuance of the Final Building Permit or prorated consistent with an approved phasing plan for the development. The total utility fund contribution for this site is \$154,000 (\$50,000 x 3.08 acres) and includes payment for areas that are included in the Site Plan but that are not yet rezoned to C-O Crystal City which may be included in a future final site plan proposal. These funds may, but need not, be used by the County for the purpose of

providing the undergrounding of utilities along the properties which are not redeveloping in this undergrounding district. If the area of the site plan is subdivided, the contribution to be made by each owner shall be based proportionally on the amount of site area allocated to each subdivided parcel. The contribution, if not obligated by the County to pay for utility undergrounding projects within 10 years from the date of payment, will be refunded without any accrued interest to the development owners of record at the time of any refund.

Plan for Temporary Circulation During Construction

6. The developer agrees to develop and implement (after approval) a one or more plans, based upon construction phasing of the project as permitted by Condition #68, for temporary pedestrian and vehicular circulation during construction. This Each such plan shall identify temporary sidewalks, interim lighting, fencing around the site, construction vehicle routes, and any other feature necessary to ensure safe pedestrian and vehicular travel around the site during construction. Exceptions may be made only during an emergency as defined below, during actual demolition, and for such limited periods as are unavoidable for utility upgrades. The developer agrees to submit ~~this~~ an initial plan to, and obtain approval of the plan from, the County Manager as meeting these standards, before the issuance of the Land Disturbance and Demolition Permits. The developer further agrees to submit, and obtain the Manager's approval of, each subsequent plan prior to the issuance of the first permit for the applicable phase of construction, as phases are defined in Condition #68. The County Manager shall approve the plan if she finds that it is consistent with this approval. The developer shall obtain approval of the each subsequent plan(s) from the County Manager before commencement of work for the applicable phase of construction. The developer agrees to provide a copy of the approved plan to the appropriate civic associations. The County Manager may approve subsequent amendments to the plan, if consistent with this approval.

The developer agrees, during the hours of construction, to provide “flagmen” to assist in the direction of traffic along or around a street any time that any driving lane of such a street is partially or fully blocked due to temporary construction activities. In addition, the developer agrees to notify the appropriate civic associations and all abutting property owners in writing (or, by mutual agreement, by e-mail) at least seven calendar days in advance of any street closure, except in the case of an emergency, of more than one hour duration on any street. “Emergency” street closures may include, but not be limited to, those relating to rupture or potential rupture of a water or gas main, insecure building façade, or similar unforeseeable public danger. “Emergency” street closures shall not include closures for setting up or dismantling of a crane, exterior building construction, materials deliveries, or utilities work, or similar situations.

During construction the Developer agrees to provide adequate temporary lighting for roadway users, including pedestrian walkways. A temporary lighting plan shall be submitted, approved and implemented prior to the issuance of the demolition and land disturbance permits. Lighting shall be turned on between dusk and dawn 7 days a week. Any high-intensity overhead lighting, such as lighting placed on construction cranes shall be used only during construction hours (except lower levels after hours for safety and

security reasons), and shall be placed so as not to directly illuminate residential dwellings or be a nuisance to neighboring property owners. The approved temporary lighting plan shall be operated from prior to issuance of the Demolition and Land Disturbance permits until County standard lighting fixtures are in place and operational around the perimeter of the site. Street lighting shall be in accordance with the latest IES Roadway Lighting Design Guidelines, AASHTO Roadway Lighting Design Guide, VDOT Traffic Engineering design manuals, and Arlington County's Streetlight System Design Guidelines memorandum, and shall conform to minimum illuminance levels approved by the County.

The developer agrees to maintain street surfaces adjacent to the site in a clean, smooth condition devoid of potholes at all times during the construction period. Whenever a significant portion of an adjacent road surface is disturbed for reasons relating to the construction, including utility work, the developer agrees to repair promptly the disturbed portion(s) of pavement with hot patching to return the road surface to a clean, smooth condition. The developer agrees to ensure that the road surface is promptly repaired regardless of whether the excavation work or other damage to the road surface was done by the developer, the developer's contractors, or private utility companies. The developer agrees to make reasonable efforts to schedule construction work so that digging in the street surfaces will not occur during the winter months. However, if the road surface is disturbed during the winter months, the developer may temporarily restore the road surface using cold patching and then hot patch the disturbed surface at the earliest opportunity when weather conditions permit. If cold patching is used, it shall be properly maintained and resurfaced as necessary to maintain a clean, smooth road condition. The term "significant portion of a road" is understood to include, but not be limited to, a cut in the road surface that exceeds 10 feet in length or 100 square feet in size. This condition is in addition to any other conditions in this site plan and any County requirements relating to reconstruction and repaving of streets at the completion of construction.

Residential Relocation

- 7. Intentionally Omitted.

Retail Relocation

- 8. Intentionally Omitted.

Compliance with Federal, State and Local Laws

- 9. The developer agrees to comply with all federal, state and local laws and regulations not modified by the County Board's action on this plan and to obtain all necessary permits. In addition, the developer agrees to comply with all of the agreed-upon conditions approved by the County Board as a part of this site plan approval. The developer specifically agrees that the County has the authority to take such actions as may be necessary, to include the issuance of a stop work order for the entire project, when the developer is not in compliance with the agreed-upon conditions. Further, temporary Certificates of Occupancy will not be issued without approval by the Zoning Administrator.

Post-County Board 4.1 Filing

10. The developer agrees to file four copies of a site plan and the tabular information form, and digital copies on compact disc in JPEG, PDF, and DXF formats, which complies with the final approval of the County Board and with Administrative Regulation 4.1, with the Zoning Administrator within 90 days of the County Board approval and before the issuance of the Land Disturbance and Demolition Permits.

The developer agrees to include on the post-4.1 plans details regarding existing traffic signal system infrastructure, e.g., poles, meters, controller cabinets, and to indicate on the plans if any part of the system will be moved and to where it is proposed to be moved.

The developer also agrees that no changes to the approved post-4.1 plans can take place in the field. All post-4.1 plan changes must be submitted for review and approval by either the Zoning Administrator or the County Board.

Community Liaison and Activities During Construction

11. The developer agrees to comply with the following before issuance of the Land Disturbance and Demolition Permits and to remain in compliance with this condition until the Master Certificate of Occupancy is issued.
 - a. The developer agrees to identify a person who will serve as liaison to the community throughout the duration of construction. This individual shall be on the construction site and/or available for direct and immediate contact, throughout the hours of construction, including weekends. The name and telephone number of this individual shall be provided in writing to residents, property managers and business owners whose property abuts the site, the Crystal City Business Improvement District, designated representatives of the Crystal City Resident Community, and the property managers for the Crystal Park Condominium, the Crystal Park Apartments and the 220 20th Street Apartments; and to the Zoning Administrator, and shall be posted at the entrance of the project.
 - b. Before commencing any land disturbance of the site, the developer shall hold a community meeting with those whose property abuts the project to review the construction hauling route, location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction. The Zoning Administrator and the Arlington County Police representative must be notified once the community meeting dates/times are established. The developer agrees to provide documentation to the Zoning Administrator of the date, location and attendance of the meeting before a Land Disturbance and Demolition Permits is issued. The developer agrees to submit to the Zoning Administrator two (2) sets of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation (one set of which will be forwarded to the Police). Copies of plans or maps showing the construction hauling route, construction worker parking and temporary pedestrian and vehicular circulation shall be posted in the construction trailer and given to each subcontractor and construction vehicle operator before they commence work on the project. The location of all

construction trailers shall be approved either by Administrative Change approval or to be shown on the Tree Protection Plan, with the construction staging's location and travel routes shown on a map approved as part of that plan. All trailers shall require approval by DES staff, and the site plan's Arlington County Police representative shall receive a copy of the aforementioned map.

- c. Throughout construction of the project, the developer agrees to advise abutting property owners in writing of the general timing of utility work in abutting streets or on-site that may affect their services or access to their property.
- d. At the end of each work day during construction of the project, the developer agrees to ensure that any streets used for hauling construction materials and entrance to the construction site are free of mud, dirt, trash, allaying dust, and debris and that all streets and sidewalks adjacent to the construction site are free of trash and debris.
- e. The developer agrees that construction activity, except for construction worker arrival to the construction site and indoor construction activity, will commence no earlier than 7:00 a.m. and end by 6:30 p.m. on weekdays and will commence no earlier than 10:00 a.m. and end by 6:30 p.m. on Saturdays, Sundays, and holidays. "Holidays" are defined as New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas. Indoor construction activity defined as activity occurring entirely within a structure fully enclosed on all sides by installed exterior walls, windows, and/or doors shall end at midnight each day, and any such activity that occurs after 6:30 p.m. shall not annoy or disturb reasonable persons of normal sensitivities. The developer agrees to place a minimum of one sign per street front around the construction site, indicating the permissible hours of construction, to place one additional sign within the construction trailer containing the same information, to provide a written copy of the permissible hours of construction to all subcontractors, and to require its subcontractors to observe such hours.
- f. Storage of construction materials, equipment and vehicles shall occur on the site or an approved off-site location, or as approved by the County Manager.

C & D Waste

12. The developer agrees to provide ~~a plan~~ one or more plans, based upon construction phasing of the project as permitted by Condition #68, for diverting from landfill disposal the demolition, construction, and land clearing debris generated by the project. ~~The~~ Each such plan should outline recycling and/or reuse of waste generated during demolition and/or construction. ~~The~~ Each such plan should outline specific waste streams and identify the means by which waste will be managed (reused, reprocessed on site, removed by licensed haulers for reuse/recycling, etc.). The developer agrees to obtain the County Manager's approval of ~~this~~ the initial plan prior to the issuance of the Land Disturbance and Demolition permits, and to implement the plan throughout demolition

and construction of the project. The developer further agrees to submit for the County Manager's approval each subsequent plan prior to the issuance of the first permit for the applicable phase of construction.

Green Building Fund Contribution

13. Intentionally Omitted.

14. **Vacations and Encroachments**

Prior to the issuance by the County of any permit for development of the site plan, except for demolition permits solely for buildings and structures not owned by the County or located on property within which the County has an interest, the developer agrees to obtain approval of, and fulfill all required conditions of, all ordinances of vacation and/or ordinances of encroachment associated with and/or required to build the project, or any portion thereof, as depicted on the site plan referenced in Condition # 1 of this Ordinance and in accordance with civil engineering plans for the project approved by the County. The satisfaction of the requirements of this condition may be phased (i.e., all ordinances of vacation or ordinances of encroachment associated with each approved phase of development must be enacted or obtained before issuance, by the County, of any permit for any work relating to, or necessary for, such phase, except for demolition permits for buildings or structures, not owned by the County or located on property within which the County has a legal interest) provided that such phasing is approved by the County Manager as part of a phasing plan as set forth in Condition #68. Irrespective of any other conditions set forth herein, the developer agrees that no building, structure or utility of any type shall encroach upon, or interfere with, the use of any County property or the exercise by the County of any property right or interest, unless and until the developer, before any Excavation/Sheeting and Shoring Permit is issued, first has: a) obtained an ordinance of vacation or an ordinance of encroachment, enacted by the County Board, permitting such use, encroachment or interference; and, b) met all of the conditions of such ordinance(s).

- **The following Conditions of site plan approval (#15 through #31) are valid for the life of the site plan and must be met by the developer before issuance of the Excavation/Sheeting and Shoring Permit, unless otherwise expressly stated in the particular condition.**

15. **Coordination of these plans: final site development, landscape and site engineering**

The developer agrees to attach the County Board meeting minutes outlining the approved conditions, and the conditions themselves, to each set of Building Permit drawings that they submit to the County. The developer agrees to submit to the Zoning Administrator a detailed final landscape plan prior to issuance of the Excavation/Sheeting and Shoring Permit. The final landscape plan shall be submitted at a scale of 1 inch = 25 feet, in conjunction with the civil engineering plan as required in Condition #18 below, as well as a vicinity map with major streets labeled. The final landscape plan shall be developed by, and display the professional seal of, a landscape architect certified to practice in the Commonwealth of Virginia. The developer further agrees that the final landscape plan and the civil engineering plan shall verify, by means of survey, that there are no conflicts

between the street trees and utilities. The developer shall obtain approval by the County Manager for both plans as meeting all requirements of the County Board's site plan approval and all applicable county laws and plans before the issuance of the Footing to Grade Permit. The plan shall be consistent with the conceptual landscape plan approved as a part of the site plan, and, at a minimum, shall conform to: the landscaping requirements in Conditions #16 and 21 below; the Arlington County Streetscape Standards if applicable; the Sector Plans if applicable; the County's landscaping, planting, and sidewalk and driveway construction specifications; and/or other applicable urban design standards approved by the County Board. In order to facilitate comparison with the civil engineering plan, the landscape plan shall be at a scale of 1 inch = 25 feet; the County may require more detailed plans appropriate to landscape installation at a larger scale to also be submitted. The County may permit minor changes in building, street and driveway locations and other details of design as necessitated by more detailed planning and engineering studies if such changes are consistent with the provisions of the Zoning Ordinance governing administrative approval and with the intent of the site plan approval. The landscape plan shall include a Street Tree Plan which shall be reviewed by DPR and DCPHD, and shall be accompanied by the civil engineering plan. All hardscape features shown on the approved landscape plan shall be completed prior to the issuance of the first partial Certificate of Occupancy for tenant occupancy, with the exception of the interim park improvements which shall be completed within 90 days of the issuance of the first partial Certificate of Occupancy for tenant occupancy as required by Condition #80. All plant materials shown on the final landscape plan shall be installed before the issuance of the first Partial Certificate of Occupancy for occupancy for any space above grade for the respective phase of construction, with the exception of the interim park improvements, which shall be completed within 90 days of the issuance of the first partial Certificate of Occupancy for tenant occupancy as required by Condition #80. If the Zoning Administrator finds that the planting season, availability of plant materials, weather, or other construction-related issues, will not permit installation of plant materials or construction of hardscape features by the required timing, and that the developer has provided reasonable assurances that it will complete the implementation of the final landscape plan within the extended time, then the Zoning Administrator may extend the time for installation of the final landscape plan.

Upon approval of the final landscape plan and prior to the issuance of the first partial Certificate of Occupancy for the respective phase of construction/tenant occupancy, the developer agrees to submit to the Department of Community Planning, Housing, and Development (DCPHD) a copy of the contract, not including confidential information such as payment, scheduling or cost of materials, for construction and installation of all landscape materials. The final landscape plan shall include the following details:

- a. The location and dimensions of traffic signal poles and control cabinets, utility meters, utility vaults and boxes, transformers, mechanical equipment, fire hydrants, standpipes, storm water detention facilities, bus stops, the location of all existing and proposed utility lines and of all easements. The location of traffic control cabinets shall be shown on the civil engineering plan and placed so they do not obstruct pedestrian travel or be visually obtrusive. Traffic control cabinets (existing or

proposed) shall not be located in the pedestrian clear zone of the public sidewalk, including but not limited to access areas to ADA ramps, crosswalks, building entrances, and interior walkways. Transformers shall not be placed above grade in the setback area between the building and the street.

The developer agrees to relocate existing traffic signal poles, traffic signal cabinets, and any other existing traffic-related items and equipment located on, or in the public right-of-way contiguous to, the development site as described below. The improvements shall conform to the DES Construction Standards and Specifications, and shall be shown on the civil engineering plan. Installation of the improvements shall be completed prior to issuance of the first certificate of occupancy for the development. The developer agrees to provide the following improvements:

- 1) Design and relocate the traffic signal equipment at the intersection of Crystal Drive and 18th Street South onto the property, as shown on the civil engineering plan approved by the County Manager.
 - 2) Design and relocate the traffic signal equipment at the intersection of Crystal Drive and 20th Street South onto the property, as shown on the civil engineering plan approved by the County Manager.
- b. Intake and exhaust garage ventilation grates may not be located within public sidewalks or streets, or within areas between the street curb and any building which is used as a walkway. The developer agrees to provide drawings showing how the garage will be ventilated as part of the post-County Board Administrative Regulation 4.1 drawings required in Condition #10 above. Ventilation grates shall be located and/or screened so as not to be visible from public rights-of-way. The developer shall obtain approval from the County Manager of the location and screening of all ventilation grates, excluding the ventilation systems located on the building which shall be reviewed as part of the façade plan required per Condition #30, as part of the review of the civil engineering plan and the final landscape plan before issuance of the Footing to Grade Permit.
- c. The location, dimensions, materials, and pavement pattern, where applicable, for driveways and access drives, automobile drop-off areas, ADA ramps, driveway aprons, service drives, parking areas, interior walkways and roadways, plaza areas and sidewalks, the interim park, as well as for address indicator signs. Interior walkways shall have a minimum width of four (4) feet. All plaza areas, access drives, automobile drop-off areas, interior walkways and roadways shall contain special treatments that coordinate in design, color and materials with the treatment of the public sidewalk. The materials and colors used are subject to approval by the County Manager according to adopted Sector Plans or other urban design standards approved by the County Board as a part of review and approval of the final landscape plan.

- d. The location and types of light fixtures for streets, parking, walkway and plaza areas, and associated utilities, as contained in the lighting plan required in Condition #52 below.
- e. Topography at two (2) foot intervals, and the finished first floor elevation of all structures, and top-of-slab elevation for any proposed underground structures.
- f. Landscaping for open space areas, plaza areas, the interim park, rooftop and building terrace areas, courtyards, raised planters (including cross-sections of raised planters), surface parking areas, and service drives, including a listing of plant materials; details of planting, irrigation and drainage; and details of proposed furnishings for all public areas, inclusive of the interim park, and including but not limited to dimensions, size, style(s), materials(s), finish(s) and manufacturer(s) of seating, bollards, trash receptacles, bike racks, arbors, trellises, and water features, and other landscape elements or structures. Include public art information, if known.
- g. The location and planting details for street trees in accordance with Department of Environmental Services Standards and Specifications for planting in public rights-of-way and as shown on the civil engineering plan.
- h. The limits of demolition and construction.

The developer agrees that once approved, the final landscape plan shall govern construction and/or installations of elements and features shown thereon, except as amendments may be specifically approved through an Administrative Change request.

Landscape Standards

- 16. The developer agrees that all landscaping shall conform to Department of Environmental Services Standards and Specifications and to at least the following requirements:
 - a. Plant materials and landscaping shall meet the then-current American Standard for Nursery Stock, and shall also meet the following standards:
 - (1) Major deciduous trees (shade or canopy trees such as Oaks, Maples, London Plane Trees, Japanese Zelkovas, etc.) other than street trees—a minimum caliper of 3 1/2 inches, except as indicated in Condition #21 below.
 - (2) Evergreen trees (such as Scotch Pines, White Pines, Hemlocks, etc.)—a minimum height of 7 to 8 feet.
 - (3) Ornamental deciduous trees (such as Cherries, Dogwoods, Serviceberries, Hornbeams, etc.)—a minimum caliper of 3 to 3 1/2 inches. Multi-stem trees shall not be less than 10 feet in height.
 - (4) Shrubs—a minimum spread of 18 to 24 inches.

- (5) Groundcover—in 2 inch pots.
- b. The developer agrees to plant all street trees prior to issuance of the first Partial Certificate of Occupancy for tenant occupancy of any space above grade for the respective phase of construction, unless otherwise approved by the Zoning Administrator, based on the planting season, the availability of street trees, and the weather. The developer also agrees to fulfill the Public Improvement Bond requirements (Condition #33). The developer agrees to notify the DPR Urban Forester at least 72 hours in advance of the scheduled planting of any street trees in the public right-of-way and to be available at the time of planting to meet with staff of DPR to inspect the plant material, the tree pit and the technique of planting. Soil used in the tree pit must meet the specifications for street tree planting available from the DPR Urban Forester.
 - c. All new lawn areas shall be sodded; however, if judged appropriate by the County Manager, based on accepted landscaping standards and approved in writing, seeding may be substituted for sod. All sod and seed shall be state certified.
 - d. Exposed earth not to be sodded or seeded shall be well-mulched or planted in ground cover. Areas to be mulched may not exceed the normal limits of a planting bed.
 - e. Soil depth shall be a minimum of four (4) feet plus drainage material, such as 12 inches minimum of drainage material or other drainage material commonly used in the industry as reviewed and approved by the County Manager on the landscape plan, for trees and tall shrubs and three (3) feet for other shrubs. This requirement shall also apply to those trees and tall shrubs in raised planters. Soil depth for raised planters shall be measured from the bottom of the planter to the top of the planter wall and. ~~The~~ the walls of raised planters shall be no higher than seat-wall height (2 1/2 feet, maximum) above the adjacent finished grade other than as shown on the site plans dated August 6, 2012 and approved by the County Board.
 - f. Finished grades shall not exceed a slope of three to one or the grade that existed before the site work began.
 - g. The developer agrees to maintain the site in a clean and well-maintained condition before the issuance of the Land Disturbance and Demolition Permits and agrees to secure and maintain the site throughout the construction and phasing process. Further, the developer agrees to submit a maintenance agreement which shall ensure that all plaza areas and other landscaped areas located on private property are kept in a clean and well-maintained condition for the life of the site plan and to follow the terms of that maintenance agreement approved for that purpose by the Zoning Administrator, as required in Section 32A of the Zoning Ordinance.

- h. Notwithstanding that required by this condition, bioretention areas, as may be provided in accordance with Condition #21, shall be provided as shown on the site plan dated August 6, 2012 and as depicted on the final landscape plan approved by the County Manager when it is determined, by the County Manager, that the substitution of bioretention areas for standard tree planting areas would reduce the adverse impacts of stormwater runoff and where deemed feasible considering issues related to, but not limited to, topography, location of structures and utilities and soil conditions. The design of any bioretention area shall be provided in accordance with applicable County standards and the Virginia Department of Conservation and Recreation's Stormwater Design Specifications.

Utility Company Contacts

17. The developer agrees to contact all utility companies, including the electric, telephone and cable television companies, and offer them access to the site at the time of utility installation to install their underground cables. In order to comply with this condition the developer agrees to submit to the Zoning Administrator copies of letters from the developer to the utility companies offering them access as stated above for each phase of the project.

Civil Engineering Plan Approval by DES

18. The developer agrees to submit a complete set of civil engineering plans for each applicable phase of the project consistent with the approved Phasing Plan for the development. Whether the set is complete will be determined by the County Manager, based on the Minimum Acceptance Criteria document dated April 30, 2012 or subsequent amended submission checklist, prior to the issuance of the Land Disturbance Permit for that phase. The plans shall be drawn at a horizontal scale of 1 inch = 25 feet and a vertical scale of 1 inch = 5 feet and be 24 inches by 36 inches in size.

The developer agrees to meet the following requirements prior to issuance of the Excavation/Sheeting and Shoring Permit:

1. Obtain approval by the County Manager of a Maintenance of Traffic Plan for, at a minimum, the Excavation/Sheeting and Shoring phase of work;
2. Obtain approval by the County Manager of a tieback plan, or alternatively, submit a statement by the developer confirming that tiebacks will not be placed and will not extend into the public right of way during construction of the project; and
3. Obtain a minimum of one complete County staff review of the civil engineering plans that results in a finding by the County Manager that the limits of Excavation/Sheeting and Shoring shown on the plan will not interfere with, limit, damage, or pose a substantial risk of damage to, existing and proposed public infrastructure and adjacent public or private property.

The developer also agrees to obtain all additional required approvals and permits prior to commencing excavation, sheeting, and shoring.

The developer agrees to obtain approval of civil engineering plans that agree with the approved final landscape plan, and the sequence of construction, from the County Manager as being consistent with all site plan approval requirements and all County codes, standards and specifications, and policies, prior to issuance of the Footing to Grade permit, for any phase consisting only of buildings on slab, prior to the issuance of the above grade building permit.

Pavement, Curb and Gutter Along All Frontages

19. The developer agrees to show on the civil engineering plans pavement, curb and gutter along all frontages of this site in accordance with the then-current Arlington County Standard for concrete curb and gutter and the then-current standards for pavement and according to the following dimensions. The pavement, curb and gutter shall be constructed prior to issuance of the first partial Certificate of Occupancy for occupancy of the applicable phase of the project/tenant occupancy. The Zoning Administrator may, for good cause shown and through the administrative change process, allow modifications to the timing of this condition based on the season, weather, or other construction-related issues, which may not permit installation of these features by the required timing.
 - a. The developer agrees to construct new curb and gutter along 20th Street South, which results in a varying street cross section of approximately 48 to 54.5 feet from face-of-curb to face-of-curb (based on the southern curb location as shown on the site plans dated August 6, 2012), as shown on the civil engineering plan approved by the County Manager. The curb location may be modified subject to administrative approval by the Zoning Administrator to provide a parking lane on the north side of 20th Street South if additional on-street parking is desired in lieu of the provision of additional sidewalk space.
 - b. The developer agrees to construct new curb and gutter along 18th Street South, which results in a varying street cross section of approximately 45-48 feet from face-of-curb to face-of-curb (based on the northern curb location as shown on the site plans dated August 6, 2012), as shown on the civil engineering plan approved by the County Manager.
 - c. The developer agrees to construct new curb and gutter along Crystal Drive which results in a varying street cross section of approximately 59 feet from face-of-curb to face-of-curb, with curb nub improvements at the intersection with 18th Street South and 20th Street South, as shown on the civil engineering plan approved by the County Manager.

All improvements to curb, gutter, sidewalks and streets for pedestrian and/or vehicular access or circulation shall be in full compliance with applicable laws and regulations. The developer further agrees that all improvements to curb, gutter, sidewalks, crosswalks, and streets for pedestrian and/or vehicular access or circulation shall be as determined by the County Manager on the final Site Development and Landscape Plan and on the Civil

Site Engineering Plan, in accordance with the Rosslyn-Ballston Corridor Streetscape Standards, the Crystal City Sector Plan, or other applicable urban design standards in effect at the time of Civil Engineering Plan Approval; provided, however, that the provision of such improvements shall not increase the projected cost anticipated for such improvements as shown on the site plan drawings dated August 6, 2012 unless the County provides additional funding to offset such increased cost.

Survey Monuments

20. The developer agrees to submit, before issuance of the Excavation/Sheeting and Shoring Permit, a survey of the site adherent to the following:

Horizontal Datum - All Site Plans shall be referenced to the Virginia Coordinate System of 1983 (VCS 83). Two (2) adjacent corners or two points on every plan sheet shall be referenced to the VCS 83 with coordinate values shown in U.S. Survey feet. All plans shall be annotated as follows: “The site shown herein is referenced to the Virginia Coordinate System of 1983 as computed from a field run boundary and horizontal control survey.”

Vertical Datum - All Site Plans shall be referenced to the North American Vertical Datum of 1988 (NAVD 88). All plans shall be annotated as follows: “The site shown herein is referenced to the North American Vertical Datum of 1988 as computed from a field run vertical control survey.”

Sidewalk Design and Improvements

21. The developer agrees that the final sidewalk pattern/design and final selection of materials and colors to be used shall be as determined by the County Manager on the final landscape plan and civil engineering plan, in accordance with the Arlington County Streetscape Standards, the Crystal City Sector Plan, or other applicable urban design standards approved by the County Board and in effect at the time of the final landscape plan approval. The clear pedestrian zone of all public sidewalks shall also be indicated.

The sidewalk clear zones along the street frontages of this development shall be consistent with the Arlington County Streetscape Standards and shall be placed on a properly-engineered base approved as such by the Department of Environmental Services. The developer agrees that the clear pedestrian zone sidewalk shall:

- a. Continue across all driveway aprons for loading and garage entrances along all frontages of the site plan, and there shall be no barriers to impede the flow of pedestrian traffic.
- b. Not be less than six feet wide at any point.
- c. Allow pinch-points only under the provisions of the Arlington County Streetscape Standards.
- d. Use plain, un-tinted concrete or, subject to approval, an integral tint that

harmonizes with its setting. Non-standard materials or surface treatments may be used subject to approval and under the provisions of the Arlington County Streetscape Standards.

- e. Not contain joints or use patterns that create gaps of ¼”-in depth width or greater at spacings of less than 30”.

The developer further agrees to construct the sidewalk improvements detailed below prior to the issuance of the first partial Certificate of Occupancy for occupancy of the applicable phase of the project/tenant occupancy.

The sidewalks shall contain street trees placed in either tree pits, tree grates or planting strips, consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, the Crystal City Sector Plan, and as specified below. Placement, planting and root enhancement options shall be consistent with the Standards for Planting and Preservation of Trees in Site Plan Projects, and as specified below. Street trees shall not be placed within the vision obstruction area. All public walkways shall be constructed to County Standard. The developer, or any subsequent owner, also agrees to maintain and replace the street trees and sidewalks for the life of the site plan. The sidewalk sections and street tree species shall be as shown on the final landscaping plan and civil engineering plan approved by the County Manager and provided as follows:

Crystal Drive—A minimum 15.5-foot wide sidewalk, measured from the face-of-curb and maintaining a 6-foot wide clear sidewalk, including 5-foot by 15-foot tree pits, as shown on the site plans dated August 6, 2012, with bioretention infrastructure where the County Manager finds that such infrastructure, (including fencing where necessary) can be constructed to meet the standards of Condition #16. Such bioretention areas shall be planted with minimum 3 ½ inch caliper street trees (species to be selected from those recommended by the Crystal City Sector Plan and as approved with the final landscape plan) and such ground cover as deemed appropriate for bioretention areas or other ground cover as identified in applicable County Standards.

18th Street South—A minimum 16.5-foot sidewalk, measured from the face-of-curb and maintaining a 6-foot wide clear sidewalk, including 5-foot by 15-foot tree pits, as shown on the site plans dated August 6, 2012, with bioretention infrastructure where deemed appropriate (including fencing where necessary) as permitted by Condition #16, planted with minimum 3 ½ inch caliper street trees (species to be selected from those recommended by the Crystal City Sector Plan and as approved with the final landscape plan) and such ground cover as deemed appropriate for bioretention areas or other ground cover as identified in applicable County Standards.

20th Street South—A minimum 18.5-foot wide sidewalk, measured from the face-of-curb and maintaining a 6-foot wide clear sidewalk, including 5-foot by 15-foot tree pits, as shown on the site plans dated August 6, 2012, with bioretention infrastructure where deemed appropriate (including fencing where necessary) as permitted by Condition #16, planted with minimum 3 ½ inch caliper street trees (species to be selected from those

recommended by the Crystal City Sector Plan and as approved with the final landscape plan) and such ground cover as deemed appropriate for bioretention areas or other ground cover as identified in applicable County Standards.

Subsurface Structure-free Zone for Utilities and Streetscape

22. The developer agrees that in order to accommodate the subsurface requirements of utilities and streetscape elements (including street trees), the final design of the project shall provide a structure-free zone under the public sidewalk along all street frontages. This zone shall be a minimum of five (5) feet deep and shall extend from the back of the street curb to the far edge of the public sidewalk. No subterranean structures (such as parking garages) shall intrude into this five foot deep zone. Within the zone, underground utilities and utility vaults shall not be located in a manner that interferes with the appropriate spacing and replacement of street trees, consistent with the approved final site and development and landscape plan. Utility lines shall not be located beneath street trees. The location of all existing and proposed utility lines shall be shown on both the final landscape plan and the civil engineering plan.

Water Service Requirements

23. The developer agrees that the location of the water services will be determined at the time of the review of the civil engineering plan, and shall be constructed in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual.

Existing Water Main or Fire Hydrant Service

24. The developer agrees that no existing water main or fire hydrant shall be taken out of service or made inaccessible without the prior approval of the Department of Environmental Services. This approval shall be obtained before the issuance of the Excavation/Sheeting and Shoring Permit.

Replacement of Damaged Existing Curb, Gutter and Sidewalk

25. The developer agrees to remove and replace, according to the Arlington County Department of Environmental Services Construction Standards and Specifications Manual, any existing curb, gutter and sidewalk along the street frontages of this site which is in poor condition or damaged by the developer, prior to the issuance of the first Certificate of Occupancy. The Zoning Administrator may, for good cause shown and through the administrative change process, allow modifications to the timing of this condition based on the season, weather, or other construction-related issues, which may not permit installation of these features by the required timing.

Street Lighting Requirements

26. The developer agrees to show on the civil engineering plans street lighting along all frontages of the site. The plans shall include the height and color of the street light poles. The developer agrees, at its cost, to purchase and install approved Arlington County street lighting along the frontages of the site prior to the issuance of the ~~Shell and Core~~ first Certificate of Occupancy. In addition, the developer agrees to furnish and install all

conduit and junction boxes necessary for the lighting system. All construction shall meet Arlington County standards.

The developer agrees to purchase and install Arlington County standard street lights along all frontages of the site in accordance with the then current Arlington County Traffic Signal and Streetlighting Specifications. The developer agrees to remove all mastarm mounted streetlights (typically cobrahead lights mounted at 25' to 35' above grade) from all site street frontages. If the County decides that such streetlights are required to provide adequate lighting for street safety purposes at intersections or when the lights are part of a traffic signal mastarm system, they shall be called out on the civil engineering plans. The developer agrees to pay the cost of relocating existing or installing new mastarm mounted streetlights if standard pedestrian scale streetlighting is not adequate for the roadway conditions.

Underground Existing Aerial Utilities

27. The developer agrees to remove and/or place underground all existing aerial utilities within or along the periphery of the entire site plan site as shown on the final site development and landscape plan and the civil engineering plan approved by the County Manager. Any utility improvements necessary to provide adequate utility services to this development or utility work necessary to provide a terminus to the underground facilities shall be paid for by the developer and shall not result in the installation of any additional utility poles, or aerial devices. ~~The developer agrees to also contact the Development Services Bureau Chief, Transportation Division of the Department of Environmental Services in Arlington County not less than two (2) months prior to its planned commencement of utility undergrounding for each phase of the project to offer the County, at no cost to the County, access to the locations where the developer plans to excavate trenches or similar areas to install underground utilities so the County may install its fiber optic cable and/or conduit in those places concurrently with the developer's utility installation. Such access, and the terms and conditions under which access to the site will be provided and the undergrounding activities of the County and the developer will be coordinated, shall be set forth in an agreement approved by the County Manager and the County Attorney.~~ All utility relocation shall be completed prior to the issuance of the Shell and Core Certificate of Occupancy.

The developer agrees to construct and install four (4) 2-inch communication conduits (HDPE or equivalent County standard for communication conduits) and junction boxes along all public street frontages, for the sole and exclusive use by Arlington County, unless the County manager determines that less conduit is required at the time of Civil engineering Plan approval. The conduit shall be designed, located and built within the subsurface structure-free zone as approved in the Civil engineering Plan and consistent with the then current Arlington County Traffic Signal Specification for the installation of communication conduit. The developer agrees to install the conduit prior to the issuance of the first Certificate of Occupancy for tenant occupancy for the respective phase of development.

Off-street Parking for Construction Workers

28. The developer agrees to provide off-street parking for all construction workers without charge to the workers. In lieu of providing parking, the developer may provide a subsidy for the construction workers in order that they may use Metro, provide a van for van pooling, or use another established method of transportation to provide for construction workers to arrive at the site. Compliance with this condition shall be determined based on a plan which shall be submitted to the Zoning Administrator, and for which the developer has obtained the Zoning Administrator's approval, before the issuance of the Excavation/Sheeting, and Shoring Permit. This plan shall set forth the location of the parking to be provided at various stages of construction, how many spaces will be provided, how many construction workers will be assigned to the work site, and mechanisms which will be used to encourage the use of Metro, carpooling, vanpooling, and other similar efforts. The plan shall also provide for a location on the construction site at which information will be posted regarding Metro schedules and routes, bus schedules and routes, and carpooling and vanpooling information. If the plan is found to be either not implemented or violated during the course of construction, a correction notice will be forwarded to the developer. If the violation is not corrected within ten (10) days, a "stop work order" will be issued, and construction halted until the violation has been corrected.

Address Indicator Signs

29. The developer agrees to install address indicator signs on the site which comply with Section 27-12 of the Arlington County Code or successor provision in a location visible from the street and as shown on the final site development and landscape plan.

Façade Treatment of Buildings

30. The developer agrees that the design of the facade treatment for the buildings and the materials to be used on the facades shall be as specified and shown on the submitted drawings identified in Condition #1 and as presented to the County Board and made a part of the public record on the County Board date identified in Condition #1, including all renderings, drawings, and presentation boards presented during public hearings. The developer agrees to submit to the Zoning Office prior to the issuance of the Footing to Grade Permit the following: three (3) copies of colored façade elevations at 24" x 36", which label the materials and colors for each elevation of the building, including interior elevations (e.g. elevations adjacent to interior courtyards, plazas and access drives), one (1) copy of black and white architectural elevations, and one (1) sample material board at no larger than 24" x 36", for review by the County Manager for consistency with this site plan approval ~~prior to the issuance of the Footing to Grade Permit~~. The submission shall be made to the Zoning Office. The developer further agrees to obtain the approval of the County Manager of the façade treatment as being consistent with the County Board approval before the issuance of the Final Building Permit.

The developer agrees that all retail storefronts along public rights-of-way are required to have an overall minimum transparency of 50% as measured from floor to ceiling. In addition, the portion of the retail storefronts that is located between three and eight feet from grade is required to be at least 80% transparent. The purpose of this condition is to allow pedestrians to view the activity within the retail establishment and to allow patrons

and employees of the retail establishments to view the activity on the sidewalk and street. "Transparency" shall mean using glass or other transparent exterior material offering a view into an area of the retail establishment where human activity normally occurs and shall not be satisfied by views into areas blocked by display cases, the rear of shelving, interior walls, blinds, hallways, or the like. Provided that the exterior material is glass or other transparent material, a tenant may apply to the County Board for a site plan amendment to grant an exception to this condition for a specified duration.

Recordation of Deeds of Public Easements and Deeds of Dedications

31. The developer agrees that, for each phase, as phase is defined in the phasing plan required in Condition #68, all required plats, deeds of conveyance, deeds of dedication, and deeds of easement associated with, and/or required by the final approved site engineering plans, for the construction of any public street, public infrastructure, public utility, public facility or public improvement (jointly "Public Improvements"), shall be:
- a) submitted by the developer to the Department of Environmental Services for review and approval prior to the issuance of any Excavation/Sheeting and Shoring Permit for such phase; and
 - b) approved by the County and recorded by the developer, among the land records of the Circuit Court of Arlington County, before the issuance of the first Certificate of Occupancy for the building(s) or any portion thereof for such phase. Real estate interests conveyed by the developer to the County for public street or public right-of-way purposes shall be conveyed in fee simple, free and clear of all liens and encumbrances. Real estate interests conveyed by the developer to the County for Public Improvements or public uses, including, but not limited to, sidewalk, street trees, other streetscape planting, water mains, storm sewers, sanitary sewers, and other public utilities and facilities, which other Public Improvements are not located, or to be located, in the public street or public right-of-way may be granted to the County by deed(s) of easement, provided, however, that in the deed(s) conveying such real estate interests to the County, all liens and encumbrances shall be subordinated to the easement rights of the County.
- **The following conditions of site plan approval (#32 through #40) are valid for the life of the site plan and must be met by the developer before issuance of the Footing to Grade Structure Permit, unless otherwise expressly stated in the particular condition.**

Plat of Excavated Area

32. The developer agrees to submit one (1) plat, drawn at the scale of 1 inch = 25 feet and 24 inches x 36 inches in size, of the excavated area showing spot elevations which confirm that the construction drawings are consistent with the average site elevation, and with the building's ground floor elevation(s) at the building's lowest level(s), as approved by the County Board and as indicated in the plans referenced in Conditions #1 and #10 above. Spot elevations shall be taken at spots determined at the time of the pre-construction meeting and shall at a minimum consist of two corners and spot elevations from 50% of the total area to be excavated. The elevations shall be provided prior to the issuance of the footing to grade permit. Provided however, that when the Zoning Administrator determines that the excavated area will be greater than 20,000 square feet, the Zoning Administrator may reduce the area for which elevations must be provided before issuance

of a footing to grade permit. Additional elevations confirming the elevations of the remainder of the excavation shall be provided prior to issuance of any permit for above grade construction.

Public Improvements Bond

33. Upon approval of the final site engineering plan the developer agrees to submit a performance bond estimate for the construction or installation of all facilities (to include street trees, ~~and~~ all landscape materials, and the interim park improvements) within the public rights-of-way or easements to the Department of Environmental Services for review and approval. Upon approval of the performance bond estimate by the Department of Environmental Services, the developer agrees to submit to the Department of Environmental Services a performance bond, in the approved amount of the estimate, and an agreement for the construction or installation of all these facilities (to include street trees and all landscape materials) within the public rights-of-way or easements, which shall be executed by the developer in favor of the County before the issuance of the Final Building Permit.

Prior to the release of the public improvement bond, the developer agrees to submit as-built drawings showing the location and facilities for all underground utilities (water, sanitary sewer, and storm sewer) that will be maintained by Arlington County.

Underground Electrical Transformers

34. The developer agrees to install all new electric transformers, and all associated appurtenances, in underground utility vaults that shall meet both Dominion Virginia Power and County design and construction standards and specifications. The developer agrees to install all other underground utility vaults in conformance with the County design and construction standards and specifications, and all applicable construction standards and specifications of the owner of the utilities. Such underground utility vaults (“Utility Vaults”) may be placed, in whole or in part, within the County right-of-way or public easement, only after the developer applies for, and there is enacted by the County Board, an encroachment ordinance, or other County Board approval, permitting use of the County right-of-way or public easement for such purpose. Upon enactment of the ordinance or approval, the developer agrees to comply with all the conditions of such ordinance and any other conditions prescribed in the site plan condition addressing vacations and encroachments, including, but not limited to, recordation of any deeds, plats, or ordinances, the payment of compensation and required fees. Any associated ventilation grates for such vaults shall not be permitted, located or constructed within any portion of the County right-of-way or public easement area for sidewalks or public streets, or within any areas that provide pedestrian access to any buildings, street, and public or private open spaces. The location and placement of the Utility Vaults shall not conflict with the physical operation or placement of other existing or proposed public or private utility facilities. The Utility Vaults shall have a minimum horizontal clearance of five (5) feet to conduits and manholes and a minimum horizontal clearance of ten (10) feet to public water mains and public sanitary sewers, unless a greater or lesser clearance is specifically shown on the site engineering plans and approved by the Department of Environmental Services. The developer shall obtain approval from the County Manager,

or his designee, for the location of all Utility Vaults, ventilation grates, and associated appurtenances, as part of the review and approval of the final site engineering plans by the Department of Environmental Services.

Interior Trash Collection and Recycling Areas

35. The developer agrees that interior space shall be provided and used for the collection, storage, compaction, and removal of trash, as well as appropriate facilities for the recycling of reusable materials as defined by the County. The collection, storage, compaction, and removal of trash shall not occur outside the interior loading space. This space may not conflict with the use of a loading berth. The developer agrees to obtain approval from the Zoning Administrator of drawings showing compliance with this condition before the issuance of the Footing to Grade Structure Permit.

Interior Loading Spaces

36. The developer agrees that all loading spaces shall be in the interior of the building and shall also comply with the following requirements: minimum 12-foot clear width (including entrances), 30 foot-length and 14-foot height clearance. Any loading dock to be used for trash removal shall have a minimum interior height clearance of ~~18~~ 15.5 feet. The developer further agrees to contract with a trash collection service provider for the life of the site plan that utilizes vehicles that can meet the requirements of this condition to service the building through the use of this loading space with a minimum interior height of 15.5 feet. All loading docks shall contain roll-down doors. Use of the loading dock for deliveries or trash pick-ups, excluding moving vans, shall be limited to the hours from 8:00 a.m. to 6:00 p.m., seven (7) days a week. The loading dock door shall also be closed when the loading dock is in use, except when necessary for entry or exit of vehicles, venting of vehicle exhaust, or when required for similar operational or safety measures.

Parking Garage Van Access

37. The developer agrees that new office parking garages shall be designed to allow access and use by vanpools. ~~At least 10% of the total new parking supply shall be accessible to vans.~~ Parking spaces provided for use by vanpools shall be conveniently located on the level of the garage closest to street level, and shall have a minimum clearance of 98 inches. All other areas of the garage shall have a minimum clearance of 84 inches. Compliance with this condition shall be determined by review of the building plans by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit, which review shall not relieve the developer from constructing in accordance with this condition.

Parking Space Compliance with Zoning Ordinance

38. The developer agrees to ensure that all parking spaces, drive aisles and ramps comply with the requirements of Section 33 of the Zoning Ordinance, except as modified by the County Board with this site plan. Unless otherwise approved by the County Board, the number of compact spaces may not exceed the Zoning Ordinance requirement. The developer shall submit drawings showing that these requirements are met, and shall

obtain approval by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit.

Bicycle Storage Facilities

39. The developer agrees to provide, at no charge to the user, secure bicycle storage facilities in locations convenient to office, ~~residential~~ and retail areas on the following basis at a minimum:

Office and Residential Bicycle Storage Facilities:

One (1) employee bicycle parking space for every 7,500 square feet, or portion thereof, of office floor area and one (1) additional such visitor space for every 20,000 square feet, or portion thereof, of office floor area.

~~One (1) resident bicycle parking space for every three (3) residential units, or portion thereof, of residential units and one (1) visitor space for every 50 residential units, or portion thereof, of residential units.~~

Employee ~~and resident~~ bicycle parking facilities shall be highly visible to the intended users and protected from rain and snow within a structure shown on the site plan. The facilities shall not encroach on any area in the public right-of-way intended for use by pedestrians or any required fire egress. The facilities for office users ~~and resident bicycle parking~~ must meet the acceptable standards for Class I storage space as ~~contained in the Arlington Bicycle Transportation Plan, dated April 1994 with Amendments through March 2003~~ defined in the Arlington Bicycle Parking Class I Standards, and be highly visible ~~from an elevator entrance, a full-time parking attendant, a full-time security guard or a visitor/customer entrance~~ to the intended users in the location as shown on the site plans dated August 6, 2012. Visitor parking must be located within 50 feet of ~~the primary~~ a building lobby entrance. Any bicycle parking racks used on the site must conform to the Arlington County Standard or be approved by the Bicycle and Pedestrian Program Manager. Drawings showing that these requirements have been met shall be approved by the Zoning Administrator before the issuance of the Footing to Grade Structure Permit. ~~Residential condominium covenants shall not prohibit the storage of bicycles in individual condominium units.~~

In addition, the developer agrees that for every 50,000 square feet or fraction thereof of office Gross Floor Area (GFA), one (1) shower per gender shall be installed, up to a maximum of three (3) showers per gender. Also, a minimum of one (1) clothes storage locker per gender shall be installed for every required employee bicycle parking space. The lockers shall be installed adjacent to or within approximately 50 feet of the showers in a safe and secured area and both showers and lockers shall be accessible to all tenants of the building. Any locker provided in a location common to both genders may count toward both genders' required number of lockers. The lockers shall be a minimum size of 12" wide, 18" deep, 36" high, and shall be available for use by building tenant bicycle commuters throughout the day. The location, layout and security of the showers and lockers shall be reviewed by the Arlington County Police Department before issuance of the Footing to Grade Structure Permit. The developer agrees that an exercise/health

facility containing a maximum of 1,000 square feet shall not count as density (FAR) but shall count as GFA if this facility meets all of the following criteria: 1). The facility shall be located in the interior of the building and shall not add to the bulk or height of the project; 2). Showers and clothes lockers shall be provided as required above; 3). The lockers shall be installed adjacent to the showers in a safe and secured area within the exercise facility and both showers and lockers shall be accessible to all tenants of the project; 4). The exercise facility shall be open only to tenants of the project and shall not accept or solicit memberships from outside of the project. The exercise facility, including the showers and lockers, shall be open during normal working hours.

Retail Bicycle Storage Facilities:

Two (2) retail visitor/customer bicycle parking spaces for every 10,000 square feet, or portion thereof, of the first 50,000 square feet of retail floor area; one (1) additional retail visitor/customer space for every 12,500 square feet, or portion thereof, of additional retail floor area; and one (1) additional retail employee space for every 25,000 square feet, or portion thereof, of retail floor area. The retail visitor/customer bicycle spaces shall be installed at exterior locations that are convenient to the retail visitors/customers, and such locations shall be reviewed by the Department of Environmental Services. The developer agrees to obtain approval of the location, design and details of the retail visitor/customer bicycle spaces as part of the final site development and landscape plan. Facilities for retail visitors/customers must meet the County standards for bicycle racks, and be located close to retail visitor/customer entrances.

Emergency Vehicle Access/Support on Parking and Plaza Areas

40. Intentionally Omitted.

- **The following conditions of site plan approval (#41 through #45) are valid for the life of the site plan and must be met by the developer before the issuance of the Final Building Permit, unless otherwise expressly stated in the particular condition.**

Wall Check Survey

41. The developer agrees to submit one (1) original and three (3) copies of a wall check survey to confirm its consistency with the plans approved by the County Board, as referenced in Conditions #1 and #10 above. The wall check survey shall show the location of the walls at the top level of the below-grade structure, and will be provided prior to the issuance of a permit for above-grade construction. The developer further agrees that, within thirty (30) days after approval of the wall check survey, or such other time as mutually agreed upon by the Zoning Administrator and the developer, to submit to the Zoning Administrator a wall check survey showing the location of the walls and the elevation of the slab, at grade.

Screening of Mechanical Equipment

42. Mechanical equipment shall be screened so as not to be visible from public rights-of-way as specified and shown on the submitted drawings identified in Condition #1, and as presented to the County Board and made a part of the public record on the County Board

date identified in Condition 1, including all renderings, drawings, and presentation boards presented during public hearings.

Use of Penthouse

43. The use of any penthouse shall be limited to mechanical equipment and equipment maintenance space or telecommunication transmitter and/or receiver equipment as required in Condition #57 below except as permitted with the optional design for additional office space at the penthouse level as shown on the site plans dated August 6, 2012 and as permitted by Condition #82.

Review by Crime Prevention Through Environmental Design (CPTED) Practitioner

44. The developer agrees to submit to the Operations Division of the Arlington County Police Department the approved post-4.1 drawings for review by the Crime Prevention Through Environmental Design (CPTED) practitioner in the Police Department for review of CPTED design elements.

FAA Documentation

45. The developer agrees to obtain from the Federal Aviation Administration (FAA), before the issuance of the final building permit, a written statement that the project is not a hazard to air navigation or that the project does not require notice to or approval by the FAA.

- **The following conditions of site plan approval (#46 through #54) are valid for the life of the site plan and must be met by the developer before the issuance of the First Certificate of Occupancy, unless otherwise expressly stated in the particular condition.**

Water Main Improvements

46. The developer agrees to show on the civil engineering plans, and to construct, water main improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual and in accordance with the requirements set forth in this condition. The water main improvements shall be constructed prior to the issuance of the first Certificate of Occupancy for the respective phases of construction.

None

Sanitary Sewer Main Improvements

47. The developer agrees to show on the civil engineering plans, and to construct, sanitary sewer main improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual as well as the following as outlined below. The sanitary sewer main improvements shall be constructed prior to the issuance of the first Certificate of Occupancy for the respective phases of construction.

None

The County will TV-Inspect the sanitary sewer lines serving the site and shall identify any improvements that are necessary to adequately service the development. The developer agrees to repair or replace any sections or appurtenances of the sanitary sewer serving the development that are found to be deficient or damaged by the developer, as identified by County staff and as shown on the civil engineering plan approved by the County Manager.

Storm Sewer Improvements

48. The developer agrees to show on the civil engineering plans, and to construct, storm sewer improvements in accordance with the standards defined in the Arlington County Department of Environmental Services Construction Standards and Specifications Manual as well as the following as outlined below. The storm sewer improvements shall be constructed prior to the issuance of the first Certificate of Occupancy for the respective phases of construction.

As shown on, and as approved, in the civil engineering plan.

Fire Hydrant and Fire Department Connection Requirements

49. The developer agrees to show on the civil engineering plan, and to install, fire hydrants at intervals of not more than 300 feet, as well as fire department connections in order to provide adequate fire protection. The County shall specify the kind of service and locations at the time of the final site engineering plan approval based on applicable safety standards. The fire hydrants and fire department connections shall be installed prior to the issuance of the first Certificate of Occupancy.

The developer agrees to provide calculations to demonstrate the needed fire flow as defined in the Arlington County Fire Prevention Code. This information shall be clearly shown on each civil engineering plan set submitted.

50. Transportation Management Plan

- A. The developer agrees that the Transportation Management Plan (TMP) shall be approved by the County Manager prior to the issuance of the Shell and Core Certificate of Occupancy for the building. All dollar denominated amounts will be adjusted for inflation by the U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) Inflation Calculator from the date of Site Plan approval.
- B. The developer agrees to develop and implement a Transportation Management Plan (TMP) in order to achieve the desired results of the Arlington County Transportation Demand Management (TDM) program.
- C. The Transportation Management Plan shall include a schedule and details of implementation and continued operation of the elements in the plan.
- D. Program Participation and Funding

- 1) The developer shall maintain an active, on going relationship with Arlington Transportation Partners (ATP), or successor entity, on behalf of the property owner.
- 2) Designate a member(s) of building management as Property Transportation Coordinator to be a primary point of contact with the county and undertake the responsibility for coordinating and completing all TMP obligations. The applicant and /or building management will provide, and keep current, the name and contact information of the PTC to ACCS, or successor. The Property Transportation Coordinator shall be appropriately trained, to the satisfaction of ACCS, to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.
- 3) In addition to supporting the ongoing activities of the Property Transportation Coordinator and other commitments of this TMP, the developer shall contribute \$46,784 per year for ~~each~~ the commercial, residential, retail, hotel, or mixed use building for thirty (30) years to the Arlington County Commuter Services (ACCS), or successor, to sustain direct and indirect on-site and off-site services in support of TMP activities. Payment on this commitment will begin as a condition of issuance of the Shell and Core Certificate of Occupancy for the ~~first completed~~ commercial building. Subsequent payments will be made annually.
- ~~4) Provide SmarTrip cards plus \$100.00 Metro fare media per person, for free, one time, to each residential lessee or purchaser, distributed no later than the day of move in.~~
- 5) Provide SmarTrip cards plus \$65.00 Metro fare media per person, for free, one time, to on-site property management and maintenance employees. Provide, administer, or cause the provision of, a sustainable commute benefit program for these employees (the program shall include, at a minimum, pre-tax employee contributions and/or tax-free transit or vanpool monthly contributions).
- 6) Provide SmarTrip cards plus \$65.00 Metro fare media per person, for free, to on-site employees of each of the retail and office tenants ~~or hotel employees~~ distributed no later than one week following the employee's first day of work at the building(s).

E. Transportation Management Plan Elements

- 1) Physical Facilities and Improvements
 - a. The developer shall provide Transportation Information Center Displays, the number/ content /design /location of which shall be approved by ACCS / ATP, or successor, in ~~each~~ the building to provide transportation-related information. Building management shall keep display(s) stocked with

approved materials at all times.

- b. The developer shall comply with requirements of Site Plan conditions to provide bicycle parking/storage facilities, showers, and lockers. The developer agrees to prepare a plan of operation of the bicycle facilities which shall include details of implementation and continued operation of the bicycle facilities and related systems.
- c. Comply with requirements of Site Plan conditions to provide van access to the parking garage
- d. Comply with requirements of Site Plan conditions to provide construction worker parking.
- e. During construction, maintain or coordinate relocation of existing bus stops at the developers cost.
- f. Provide in the building lobby(s) a means to call a taxi.
- ~~g. Maintain at least one on-site business center (including, at a minimum, access to copier, fax, personal computer, and internet services in a minimum 56 sq. ft. of space), which shall be made available to support residents of the building who choose to work from home.~~
- h. Bus stops and shelters ~~within 50 feet of the property and~~ located contiguous to the property shall be maintained free of snow, ice, trash, and debris. A 6 foot wide path, or the full width of the sidewalk (if less than 6 feet), shall be maintained clear of snow and ice, to the main entrance of the building(s) from these bus stops.

2) Carpools and Vanpools

- a. The developer shall provide signed, reserved spaces for carpools and vanpools that are conveniently located with respect to the elevators serving the building. Signage notifying the public of the availability of carpool and vanpool subsidy programs and contact information of the coordinator of such programs, shall be posted at the garage elevator entrances and as approved by the TDM planner.
- c. Provide registered vanpools with free parking.
- d. Oversee program to provide carpools with a parking subsidy. Subsidies will be:
 - 1) Two-person carpool subsidy shall equal one third the single-occupant vehicle monthly parking rate.

- 2) Three-person (or more carpool) subsidy shall equal two thirds the single-occupant vehicle monthly parking rate.
- 3) Promotions, Services and Policies
 - a. Provide website hotlinks to CommuterPage.comTM under a “transportation information” heading from the developer and property manager’s websites regarding this development.
 - c. Provide access to building or grounds, upon request, to allow ATP and Metropolitan Washington Council of Governments’ (MWCOC) Commuter Connections to promote group riding among tenants of the building.
 - d. Inform all new employees ~~and residents~~ of the existence of the nearby Crystal City Metro station and bus routes serving the buildings, and encourage all employees and residents to use Metrorail, Metrobus, Arlington Transit, or other services through the following means:
 - 1) Distribute in a new-tenant package, materials provided by Arlington County, including site-specific transit-related information. Distribute required SmarTrip cards to all employees. Packages will be distributed to each of the tenants’ employees no later than their first full day of work at the building.
 - ~~2) Distribute a new resident package, material provided by Arlington County, which includes site-specific ridesharing and transit related information to each residential lessee, and / or condominium, and / or townhouse purchasers. Distribute required SmarTrip cards to each residential lessee, and / or condominium, and / or townhouse purchasers. Packages will be distributed to tenants or owners no later than the day of move-in.~~
 - 3) Provide information to office tenant and retail managers for their use as part of recruiting and employment materials regarding available commute options and assistance services.
 - 4) Distribute transit services information and promotional materials provided by Arlington County, up to four (4) times per year to persons employed at or visiting the site. Information regarding transit route, schedules, fares, etc. shall be distributed to all tenant and owner employees and shall be displayed in common work areas.
 - 5) Participate in regionally sponsored clean air and traffic mitigation promotions.

- 6) Encourage each of the building tenants to offer variable/flexible work hours to their employees in order to spread peak period transportation demands.
- 7) Promote the formation of Employer Transportation Benefit Programs with each tenant employer in commercial buildings.
- 8) Appropriately train management personnel to provide rideshare, transit, and other information provided by Arlington County intended to assist with transportation to and from the site.

F. Monitoring and Performance

- 1) Upon approval of the TMP by the County, the developer agrees to implement all elements of the plan with assistance when appropriate by agencies of the County.
- 2) The owner shall reimburse the County for, and participate in, a transportation performance monitoring study at two years, five years, and each subsequent five years (at the County's option), after issuance of first Certificate of Occupancy with the total cost of each such survey not to exceed \$10,000. The County may conduct the study or ask the owner to conduct the study. The County will specify the timing and scope of the study. The study may include average vehicle occupancy, daily vehicle-trips to and from the site, and parking availability by time of day for the site and pedestrian traffic. The study may include a seven-day count of site-generated vehicle traffic and a voluntary mode-split survey. The building owner and/or operator will notify, assist, and encourage residents, tenant's employees, and building employees to participate in mode split surveys which may be of an on-line, or email variety. A report will be produced as specified by the County.
- 3) During the first year of start up of the TMP and on an annual basis thereafter, the developer will submit an annual report, which may be of an on-line, or email variety, to the County Manager, describing completely and correctly, the TDM related activities of the site.
- 4) The developer agrees to transfer the TDM plan and Site Plan documents to each building or property manager no later than their first day of work at the property.

Residential Parking and Parking Management Plan

~~51. The intent of this condition is to ensure that at least one parking space is available in perpetuity for parking use by each residential unit in the project. Accordingly, the developer agrees to offer the use, for rental units, and the purchase or use for condominium units, of at least one parking space for each dwelling unit.~~

~~Further, for condominium units, the developer agrees to notify the Zoning Administrator at the time of the settlement of the last dwelling unit. If excess parking spaces are available at the time of settlement of the last dwelling unit, the number of excess parking spaces equaling the number of dwelling units which were sold without a parking space,~~

~~shall first be offered exclusively for a period of twelve (12) months to the owners of those dwelling units which were sold without a parking space. Any other remaining spaces shall be offered to all dwelling unit owners or transferred to the condominium, cooperative or homeowners association. By the end of twenty four (24) months following the settlement of the last dwelling unit, the developer agrees to relinquish in writing to the condominium, cooperative or homeowners association any and all remaining interest in the parking spaces or garage and a copy shall be filed with the Zoning Administrator. The future purchase of any parking spaces shall be limited to the dwelling unit owners or condominium, cooperative or homeowners association of the building.~~

~~For both rental and condominium buildings, the use of the parking spaces shall be limited to parking use by the residents of the building and their guests, unless otherwise permitted by the Zoning Ordinance, and shall not be converted to storage or other use without approval of a site plan amendment.~~

The developer agrees to submit to the Zoning Administrator a parking management plan which outlines how ~~guest~~ office tenant and visitor parking for the ~~residential~~ commercial building, and parking for retail tenants' employees and customers ~~for retail located in the residential buildings,~~ will be provided, where the parking will be located and how ~~guests, customers and visitors, and retail employees and customers,~~ will be directed to the parking spaces and how such spaces will be managed and maintained by the building owner(s) for the purpose of providing maximum efficiency of use by the commercial building's tenants, guests, visitors and customers. The developer further agrees to make a minimum of ~~twelve residential visitor parking spaces, and~~ retail tenant parking spaces, available within the ~~residential commercial building's~~ garage. The parking management plan shall be submitted to the Zoning Administrator, and reviewed and approved by the County Manager, prior to the issuance of the first Certificate of Occupancy for the ~~first residential commercial~~ building. The developer agrees to implement the Parking Management Plan for the life of the site plan.

Lighting Plan for Public Areas

52. The developer agrees to include a lighting plan for all internal and external public areas, as well as all architectural lighting, including parking areas, building mounted and rooftop areas, as part of the final civil engineering plan and the final landscape plan. This lighting plan shall be subject to review by the County Manager, including street lighting as described in Condition #26 above. The developer shall include in the final civil engineering plan and in the final landscape plan certification that the lighting plan meets the then current standards of the Illumination Engineering Society of North America Standards. The developer agrees to obtain the approval of all lighting from the County Manager, and to install approved lighting, before the issuance of the First Certificate of Occupancy for occupancy of the applicable phase of the project.

Documentation of Historical Artifacts, Features and Buildings

53. The developer agrees to be responsible for documenting any historical artifact or historical natural feature uncovered during construction on the site. This documentation

shall include written notation describing the artifact or natural feature, color photographs, and mapping of the location and/or depth of the site excavation at which the item was found. The developer agrees to submit a copy of this documentation to Arlington County before issuance of the First Certificate of Occupancy.

In the event an historical artifact or natural feature is found on the site, and is to be disturbed or removed from the site during construction, the developer agrees to contact the Arlington County Historic Preservation Program, Neighborhood Services Division before removing or disturbing the artifact or natural feature. Arlington County shall be given the opportunity to accept donation of the artifact or natural feature before the item is offered to any other organization or individual.

If historic buildings are located on the site, then photographic documentation shall be consistent with Historic American Building Survey (HABS) standards. Should the project be assessed as a possible archaeological site, the developer agrees to pursue, at a minimum, a level one and two archaeological study. The developer agrees to submit to the Arlington County Historic Preservation Program all written results of the level one and two archaeological study and all artifacts found on the site.

Availability of Site Plan Conditions to Residential Condos, Cooperatives and Homeowners Associations

54. Intentionally Omitted.

- **The following condition of site plan approval (#55) is valid for the life of the site plan and must be met by the developer before the issuance of the Master Certificate of Occupancy.**

Building Height Certification

55. The developer agrees to submit, before the issuance of the Master Certificate of Occupancy, drawings certifying the building height as measured from the average site elevation to both the building roof and to the top of the penthouse roof.

- **The following condition of site plan approval (#56) is valid for the life of the site plan and must be met by the developer within 180 days of receipt of the partial Certificate of Occupancy for full occupancy of the building.**

Obtain Master Certificate of Occupancy

56. The developer agrees to obtain a Master Certificate of Occupancy within 180 days of receipt of any partial Certificate of Occupancy for full occupancy of the commercial building; however, the Zoning Administrator may administratively approve an extension if she finds that the developer is diligently, and in good faith, pursuing completion of the commercial building.

- **Post Certificate of Occupancy: the following Conditions of site plan approval (#57 through #62) are valid for the life of the site plan.**

County Installation of Telecommunications Transmitter and/or Receiver Equipment

57. In order to maintain the effectiveness of the County's public safety systems, the developer/applicant hereby agrees to grant to the County in perpetuity the right to install telecommunications transmitter and/or receiver equipment and conducting wire in or on the penthouse or top floor, and antennae and traffic monitoring systems on the roof of the proposed commercial building in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. The developer is not required to pay for design and installation costs for such equipment. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

In addition, to enhance the reach of the County's public emergency communications system-of-systems, the developer/applicant agrees to grant to the County in perpetuity the right to install tie-ins from the County's outdoor emergency warning system to the interior building fire/emergency warning annunciator systems using either land lines or emergency relay transceivers in or on the penthouse or top floor, antennae systems and along with hazardous material detection sensors on the roof of the proposed commercial building in a location and design that is acceptable to the County and the building owner based on a reasonable exercise of judgment by both upon request by the County. The developer agrees to provide, upon request by the County, access to electrical service separately metered, including auxiliary electrical power, and telephone radio control lines to the penthouse in the defined area. The developer shall not be required to pay for the design and installation of such equipment. Any radio transmitter or receiver equipment and antenna to be installed or used by others must not interfere with the emergency communication system of the County.

Structural Additions

58. The developer agrees that any structural addition or changes to the facades or materials shall be subject to the approval of the County Manager. If the County Manager, in consultation with the Zoning Administrator determines that any proposed improvements or changes to the facades or materials have a significant impact on the site plan, or otherwise meet Zoning Ordinance requirements for site plan amendments that go to the County Board, a site plan amendment shall be required.

Snow Removal

59. The developer or owner agrees to remove snow from all interior streets and interior and exterior sidewalks, including accessibility ramps and gutter areas within crosswalks, within a reasonable time after snow has stopped falling but in no case later than snow removal provided for vehicular access to the site.

Maintenance of Residential Common Areas

60. Intentionally Omitted.

Retention of Approved Parking Ratio over Subdivided Site

- 61. The developer agrees to provide parking for ~~each~~ the commercial building according to the approved parking ratio; when this parking is not located within the parcel designation of ~~each~~ the building but located within the overall ~~project~~ site plan area, it shall continue to be committed to the entire project for purposes of administering the Zoning Ordinance.

Retention of Approved Density over Subdivided Site

- 62. The density allocated for any new construction pursuant to the site plan on any subdivided parcel of the site shall be the same as the approved density for the entire site. No additional density shall be allowed on any individual parcel formed by subdivision of the site, except as indicated in the Crystal City Block Plan #421-1.

- **The following unique site specific conditions (#63 through #78) are valid for the life of the site plan and must be met before the issuance of the permit specified in each Condition.**

Retail Elements

- 63. Prior to the issuance of the Final Building Permit the developer agrees to meet the requirements of this condition.

A. The developer agrees to the following for Retail Space as shown on the plans referenced in Condition #1, within the site plan:

- 1) The developer agrees to market a ~~minimum of~~ approximately 6,895 square feet of retail space located on the first floor of the building as shown on the site plans dated August 6, 2012 to uses consistent with the listings under “Retail Categories” as listed on pages 5-6 in the approved Retail Action Plan for the Rosslyn-Ballston Corridor, dated May 2001, the Crystal City Sector Plan, or other applicable retail policy documents in effect at the time of County Board approval, and any other uses which the Zoning Administrator may determine are of the same general character (as same general character is described in Section 36.B. of the Zoning Ordinance), provided that they are consistent with the standards in this Condition #63.

The developer agrees to submit the marketing material and/or a letter detailing the marketing efforts, and first floor plans consistent with the standards in this Condition #63, and obtain approval of such material or letter from the Zoning Administrator as having met the standards of this condition.

- 2) The developer agrees to market and lease as retail space when the Center Park envisioned in the Crystal City Sector Plan is constructed and available for use, approximately 4,395 square feet of space labeled as “retail (flexible)” and located on the second floor of the building as shown in the site plans dated August 6, 2012. Until such time, but not longer than a period of ten years from the date of

issuance of the Certificate of Occupancy for the affected space, the developer may market and lease such spaces as either retail or office use.

- 3) The developer is encouraged to lease space designated for “personal or business services” in the Retail Action Plan to “Entertainment and Main Street Retail” businesses.
- 4) The retail space shall be designed and used in a manner consistent with the Crystal City Sector Plan, adopted in 2010.
- 5) For retail space greater than 3,000 square feet, the developer agrees to retain a retail broker, or utilize in-house broker services, and meet with AED to discuss the strategy and marketing plans for the retail space. The Final Building Permit shall not be issued until documentation has been provided to the Zoning Administrator from AED that this meeting has occurred and a retail broker, or in-house broker services, has been retained.
- 6) **Standards for Retail Spaces:** The retail spaces shall be designed and constructed to include interior and exterior improvements that are functional and attractive to prospective retailers and that animate the street frontage, including but not limited to the following:
 - a. Approximately 18.5 feet to 21.5 feet ~~foot~~ floor to floor heights, except for areas on the first floor of 11.5 feet to 12 feet floor to floor, as shown on the plans dated August 6, 2012.
 - b. Access to the service corridor/areas as shown on the architectural plans dated August 6, 2012.
 - c. Rough-in of utilities, i.e., sprinkler heads, plumbing, electrical wiring, and stubs for extensions. If the tenant(s) is unknown at the time of construction, the developer may, in lieu of rough-in of utilities, include such work as part of the tenant improvement budget at the developer’s cost.
 - d. Provision to connect to venting systems and grease traps required for any food preparation or restaurant use.
 - e. Sufficient transparency of the building facade to achieve adequate street exposure, as set forth in Condition #30 above. The developer agrees to notify all tenant(s) of this requirement.
 - f. Parking as set forth in Conditions #51 above.

B. Changes to Retail Spaces:

- 1) Minor adjustments in the approved retail Gross Floor Area (GFA) or to details of the retail spaces as outlined in this Condition #63 may be approved by the Zoning Administrator if she finds that such changes are minor, as defined below, and are consistent with the original site plan approval. For the purposes of the preceding sentence, minor adjustments shall include only the following: (i) a minor adjustment in the location of the retail along the street frontage on the ground floor; or (ii) a minor adjustment in the GFA for the retail space, as long as the total approved retail GFA for the entire Site Plan does not ~~change~~ decrease; or (iii) a minor adjustment in the elements of the retail space as described in this Condition #63. All other changes to the approved retail will require a Site Plan amendment.

- 2) Any change in the use of the retail space from retail to office or other uses inconsistent with this Condition #63 shall require a Site Plan amendment.

Public art site plan condition – standard language for Public art fund contribution

64. The developer agrees to make a contribution to the Public Art Fund in the amount of \$75,000 to support County public art initiatives described in the Public Art Master Plan (adopted December 2004) and the goals of the Public Art Policy (adopted September 2000). Such funds shall be earmarked for use in the Crystal City metro area. Such contribution shall be made to the Public Art Fund prior to issuance of the first above grade building permit. If the contribution is made more than 12 months after site plan approval, the contribution amount will be adjusted based on the Consumer Price Index.

After-hours Parking in Office Garages

65. The developer agrees to make all parking in the garage subject to this Site Plan #421 available to the public for parking after standard office hours (weekday evenings after 6:00 p.m., weekends, and all legal holidays) until 12:00 midnight or until the close of business of retail operations, whichever is later. The developer further agrees to make some parking spaces ~~on the levels of~~ within the garage available for use exclusively by the retail tenants' employees and customers; at a minimum, the number of spaces to be so reserved shall be consistent with the requirements of the Zoning Ordinance for the retail uses that occupy the space, but need to leave sufficient spaces for other uses. The developer agrees to implement a validation program to allow ~~free~~ discounted use of such spaces for retail customers and employees between 6:00 p.m. and 12:00 midnight or until the close of business of retail operations, whichever is later.

Affordable Housing Contribution

66. The developer agrees to comply with Subsection 36.H.6.of the Zoning Ordinance, “Affordable Dwelling Units for Increased Density Within General Land Use Plan.” Prior to the issuance of the first Certificate of Occupancy for the project, the developer shall have submitted to and obtained from the County Manager confirmation or approval of the developer’s finalized plan for meeting the requirements of the affordable housing ordinance, and shall have executed all necessary documents to implement the approved or confirmed plan.

67. **Building Security Requirements**

- a. The developer agrees to coordinate with County staff on the design of exterior building security measures in order to limit or mitigate any adverse impacts that these measures may have on the project's urban design (including street and retail base) and streetscape. All exterior building security measures shall be shown on, and approved as part of, the final site development and landscape plan and the approved façade treatment plan. The base of the buildings, as shown in the drawings dated August 6, 2012, and consistent with Condition #64 above, have been designed to accommodate retail uses and provide interest and activate the streetscape. Any change in the use and design of the base resulting from any proposal for exterior building measures shall require a site plan amendment.
- b. The developer agrees that it is the policy of the County to maintain the maximum number of on-street parking spaces around the perimeter of a site, and that it will not remove or reduce the number of on-street parking spaces around the perimeter of a site whether at the request of the developer or a tenant or otherwise. Accordingly, the developer agrees that it shall notify tenants of the aforesaid policy prior to execution of any lease with a tenant.

Phasing Plan

68. The developer agrees to obtain approval of the County Manager of a construction phasing plan prior to the issuance of any building permits for the site plan, and to implement the approved plan. During the phasing of construction, the developer further agrees to appropriately maintain the site and any buildings located within it. This shall include, but not be limited to, maintaining landscaping, keeping the grass mowed, and removing litter and debris from the site. Until the buildings are demolished, the developer agrees to maintain access on the site for fire emergency vehicles. Improvements required by these site plan conditions shall be constructed in phases, consistent with the phasing plan for construction of the project. Any changes in the project phasing shall require a new phasing plan approved by the County Manager prior to the issuance of any permits.

Enclosure of Balconies

69. The developer agrees that no balconies, other than those identified in the approved site plan, shall be enclosed. Enclosure of any additional balconies shall constitute additional gross floor area and shall require a site plan amendment.

LEED Credits and Sustainable Design Elements

70. a. The developer agrees to include a LEED[®] Accredited Professional (LEED-AP) as a member of the design and construction team. The team will incorporate sustainable design elements and innovative technologies into the project so that numerous project components will earn the developer points under the U.S. Green Building Council's LEED green building rating system. Specifically, the developer agrees to meet the requirements for all LEED Prerequisites and achieve at least the number of LEED credits necessary to achieve LEED certification at

the Gold level using the LEED version 2009 green building rating system. At least seven (7) points from LEED EA credit 1, "Optimize Energy Performance," shall be included in the certification of the project. The developer also agrees to achieve LEED SS credit 9, "Tenant Design and Construction Guidelines" and will provide the guidelines to all new tenants prior to tenant fit-out design.

The developer agrees to fulfill the following before issuance of the indicated permit:

- b. **Report Submittals** - The developer further agrees to submit to the Department of Environmental Services (DES) (with notification of submission to the Zoning Office), reports prepared by the LEED-AP and documentation upon request to substantiate the report. Such reports will be submitted prior to the issuance of the following permits or certificates of occupancy for construction of the project and will summarize the efforts to date of the inclusion of the sustainable elements within the project:
1. Demolition, Clearing & Grading Permit
 2. Excavation/Sheeting & Shoring Permit
 3. Above-Grade Building Permit
 4. Shell and Core Certificate of Occupancy
 5. Partial Certificate of Occupancy for occupancy of the last floor of space
 6. Master Certificate of Occupancy
- c. The developer agrees to provide certification by a LEED-AP within ninety (90) days after the issuance of the first certificate of occupancy for any part of the last floor of building. The certification shall state that all the prerequisites and the minimum number of LEED credits, as set forth above in the reporting mechanisms, have been incorporated into the respective building and that, in the professional's opinion, the project will qualify for at least a LEED Gold Certification as outlined in the LEED CS version 2009 rating system. At the request of staff, the developer also agrees to accommodate site visits to verify LEED progress. The developer also agrees to submit all appropriate documentation to the USGBC (or their designee) for review and evaluation for LEED certification.
- d. Prior to the issuance of the partial certificate of occupancy for any space on the last floor for which a certificate of occupancy is issued, the developer agrees to provide to the County financial security (in the form of a bond or letter of credit or other form approved by the County Attorney) in the amount of \$1 per s.f. of GFA guaranteeing that, within twenty-four (24) months from the date of the issuance of the partial certificate of occupancy for any space on the last floor for which a certificate of occupancy is issued, the developer will have received from the U.S. Green Building Council its LEED Gold certification. If the total number of LEED points earned during certification is less than the number of points required to achieve the agreed upon LEED certification level, the developer shall automatically forfeit a percentage of the financial security as follows:

<u>Points missed</u>	<u>Percentage of financial security forfeited</u>
<u>1-2</u>	<u>25%</u>
<u>3-4</u>	<u>50%</u>
<u>5-6</u>	<u>75%</u>

For each building, should the developer miss seven (7) or more points, within the twenty-four (24) month period (unless due to delay related solely to the USGBC), the developer shall automatically forfeit 100 percent (100%) of the security. The forfeited amount shall be paid to the County within 30 days of the date of notification from the USGBC. The developer agrees that the County may take any amounts due under the condition out of the financial security as deposited with the County.

- e. The developer agrees to provide a complete ENERGY STAR Portfolio Manager report (or equivalent as approved by the County Manager or designee) as outlined in County guidelines titled Submission Requirements for Site Plans with Portfolio Manager Proffers for the project each year for a period of ten (10) years. The first report shall be due on or before January 31 of the year following issuance of the partial certificate of occupancy of the last floor of space.
- f. The developer agrees that the LEED points referenced in this condition refer to the LEED version 2009 green building rating system.
- g. The developer agrees to permit the County Manager or his designee to access the USGBC records for the project, and to provide the County Manager with such authorization as may be necessary to allow such access. Should there be a dispute between the County and the developer as to whether any sustainable element has properly been included in the development so as to qualify for the applicable number of LEED rating system points, the County and the developer will select a mutually agreeable third-party LEED-accredited individual, or other person with substantial experience in the LEED system as approved by the County Manager, and accept the determination of that individual as to whether the developer has qualified for those points. If the third-party person determines that the sustainable element has properly been included, the County will issue the permit. Such a determination shall in no way relieve the developer of the obligation to achieve the level of certification called for in this condition.

Public Use and Access Easements

- 71. The developer agrees to grant permanent public use and access easements, in a form acceptable to the County Attorney and County Manager, to the County Board of Arlington County providing for public use and access to the stairwell and elevator located on the north side of the commercial building and a temporary public use and access easement for the interim park situated in the northern portion of the site. The final location and area of the easements may change with the preparation of the final building plans and upon termination of the temporary public use and access easement for the

interim park when this area is replaced with a building subject to a future amendment to this site plan. The developer agrees to construct and landscape these areas, as shown on plans dated August 6, 2012 and made a part of the public record on September 15, 2012. Final landscape design and installation shall be approved by the County Manager as part of the final site development and landscape plan. Construction and landscaping of these areas shall be completed prior to the granting of the easements. Granting of the public use and access easements shall be completed ~~prior to~~ within 90 days of the issuance of the first certificate of occupancy for the building. The easements shall be granted by deed, in form and substance acceptable to the County Manager, and shall be recorded among the land records of the Clerk of the Circuit Court of Arlington County. The developer shall be responsible for maintaining these areas.

Refuse Delivery to County Disposal Facility

72. The developer agrees to deliver all refuse, as defined by the Arlington County Code, to an operating refuse disposal facility ~~designated by~~ mutually acceptable to the County Manager and the developer. Any facility designated by the County Manager will have competitive rates at or below other facilities in the region otherwise available to the developer. The developer agrees that if it intends to deliver its refuse from this project to a facility other than the disposal facility designated by the County Manager, then the developer will submit that decision in writing to the DES Solid Waste Bureau along with a comprehensive cost analysis justifying the developer's decision. The developer further agrees to stipulate in any future lease or property sale agreements and deeds that all tenants or property owners shall also comply with this requirement for the life of the site plan.

Towing of Impermissibly Parked Vehicles

73. The developer agrees to have, as a part of its parking management plan, provisions relating to the towing of impermissibly parked vehicles. Such provisions shall include, but not be limited to:
- a. Requirements for signage at the developer's parking lot(s) providing notice of all applicable parking restrictions enforced by towing, the location of the towing contractor(s)' impoundment yard, and the name and telephone number of the developer's on-site representative responsible for towing-related complaints, as well as the telephone number of the Arlington County Office of Citizen and Consumer Affairs;
 - b. Disclosure by the developer and its towing contractor(s), at the developer's parking lot(s), of all fees and charges for towing; and
 - c. Evidence that the developer has a contract with the towing contractor that requires the towing contractor to clearly display all fees and charges for towing.

Speed Bumps at Garage Exit Ramps

74. The developer agrees to install speed bumps adjacent to the top of garage exit ramps at locations where ramps abut the pedestrian sidewalk, in order to slow vehicular traffic

prior to vehicles crossing the sidewalk, unless otherwise approved by the County Manager. The locations of the speed bumps, or alternative treatment as approved by the County Manager, shall be shown on the site engineering and building plans approved by the County Manager. The garage doors shall be setback from the sidewalk a minimum distance of six (6) inches.

Authorization for Police to Enter Residential Parking Areas

75. Intentionally Omitted.

Public Safety Radio Communications

76. The developer agrees to install and maintain in operable condition, in a manner acceptable to the County Manager, an internal antenna/amplifier system that permits public safety radio communications to transmit in the 806-825 MHz frequency and to receive in the 851-870 MHz frequency from all areas within the building. The developer agrees to provide documentation in the approved electrical engineering drawings that adequate accommodations have been made in the building to meet this requirement.

Historic Building Deconstruction

77. Intentionally Omitted.

Power Door Openers

78. The developer agrees to install power door openers for the main pedestrian entrances to the ~~residential~~ commercial building. In addition, at the secure interior doors, the developer agrees that call boxes, if used, shall be mounted and measured at a height that allows for hands-free remote capability. The entrances to the lobby of the ~~residential~~ commercial building's elevators from the first level of the parking garage will have automatic door openers. These items shall be installed and functional prior to issuance of any certificate of occupancy for tenancy of the building.

Parking Meters

79. The developer agrees to contribute the cost, up to a maximum of \$20,000, for installation of multi-space parking meters along the project's frontage. The number of meters and the amount of the cost of installation will be determined by the County Manager prior to approval of the Civil engineering Plan and the resulting contribution shall be paid by the developer in one installment prior to the issuance of the first Certificate of Occupancy.

Interim Park Improvements

80. The developer agrees to improve the interim park in the northern portion of the site in a manner consistent with that depicted on the plans dated August 6, 2012. Details of this interim park improvement shall be provided on the final landscape plan as required by Condition #15. The developer further agrees to improve the interim park as depicted on the approved final landscape plan required by Condition #15, and made available to the public subject to the granting of a temporary public use and access easement as required by Condition #71, within 90 days of the issuance of the first Certificate of Occupancy for the commercial building.

Canopies and Awnings

81. The developer agrees that it will not construct or permit to be constructed any structures within areas dedicated, or to be dedicated, as public sidewalk easements and public sidewalk and utilities easements pursuant to the conditions of this site plan, except canopies, awnings and/or other similar architectural details as depicted in the final site plan on the face of the commercial building (“canopies and awnings”), within such easement areas, provided that all such canopies and awnings shall be consistent with the final design and site engineering plans approved by the County Manager. Such canopies and awnings shall also, among other requirements, meet the following minimum standards: each canopy or awning shall (i) be suspended from the face of a building or structure; (ii) have no ground supports; (iii) extend no more than six (6) feet into the adjoining public sidewalk easement or public sidewalk and utility easements, with the exception of the canopy over the main lobby entrance on the east side of the building; (iv) contain no permanent fixtures, such as, among other things, fans, heaters and sprinklers; (v) extend no more than six feet in any location from the face of the building to the outer edge of the canopy or awning, with the exception of the canopy over the main lobby entrance on the east side of the building; (vi) extend into the easement area no further than to a point that is five feet behind the back of the curb line; (vii) not be located in the clear space above any utility vault; and, (viii) maintain a clearance of at least eight feet above the public sidewalk to the lowest part of the canopy or awning, provided, that if such canopy or awning incorporates a sign, the canopy or awning and the sign shall meet all applicable zoning ordinance provisions.

In the event such canopies and awnings are approved by the County Manager as part of the final site plan, the developer further agrees for itself, its successors in title and interest, and assigns, to indemnify and hold harmless the County Board of Arlington County, Virginia and County officials, officers, employees, and agents from all claims, negligence, damages, costs and expenses arising from the canopies and awnings. The developer agrees that, in the event of an emergency, the County may remove the canopy or awning and shall not be liable for any loss or damage to the canopy, awning or building that may result from such removal. In such event, the County shall not be responsible for replacing such canopy or awning.

The developer agrees that in the event of need for routine utility work in the area of a canopy or awning, or need for County infrastructure repairs in the regular course of business in the area of the canopy or awning, the County may, by written notice delivered to the developer, require the developer, at the developer’s sole cost and expense, to remove the canopy or awning within fourteen (14) days of delivery of said notice. The developer further agrees that, if the canopy or awning is not removed within fourteen (14) days of delivery of said notice, the County may, at the sole cost and expense of the developer remove the canopy or awning and the developer agrees that the County shall not be liable for any loss or damage to the canopy, awning or building that may result from such removal, or for replacing such canopy or awning.

The developer agrees that, if the County Manager determines that any canopy or awning, whether or not approved, interferes with public access or is otherwise inconsistent with

the public welfare, zoning ordinance requirements, or future development, the developer agrees to, at its sole cost and expense, to remove the canopy or awning and fully restore any affected surface areas of the canopy, building or easement. The developer agrees to complete removal of any canopy or awning upon notice of the County Manager's determination. The developer agrees that, if the developer fails to remove the canopy or awning within the time specified, the County may remove the canopy or awning, at the expense of the developer, and that the County shall not be liable for any loss or damage that may occur as a result of such removal.

The architectural feature on the top of the building shall not be considered a canopy or awning for purposes of this condition.

Optional Building Design

82. The developer agrees to notify the Zoning Administrator at least two business days prior to submission of any application for permits to implement, at a later date, the option to build-out additional office space on the 24th floor and/or construct additional amenities on the 3rd and/or 24th floor, as shown on the site plans dated August 6, 2012 as "Optional Office", "Optional Terrace" and "Optional Roof Terrace".

Hydronic System

83. The developer agrees to build a four-pipe hydronic system for space heating and cooling purposes throughout the building. The developer also agrees to locate the boiler and chiller equipment at or below ground level. The general design specifications for this system shall be provided with the civil engineering plan and any applicable building permit documents, as determined by the County Manager.

Center Park

84. The developer agrees that no further applications for rezoning any portions of this site plan (SP #421) shall be submitted to the County for consideration until a plan has been submitted to the County Manager for the purpose of devising an implementation process for achieving Center Park as envisioned by the Crystal City Sector Plan. The developer agrees that this plan shall be prepared by County staff, working directly with major Crystal City property owners, and that the developer agrees to fully participate in this planning process, including but not limited to providing data, information, and resources as appropriate and requested by the County. This plan shall address issues including, but not be limited to, the acquisition of the Center Park land by the County in fee or by easement, and improvements, if any, for the purpose of designing and constructing the Center Park amenity envisioned by the Crystal City Sector Plan.

18th Street South Off-Site Improvement

85. The developer agrees to either 1) contribute \$100,000 to the County prior to the issuance of the Footing to Grade Permit for the purpose of improving the south side of 18th Street South between the westernmost portion of the site plan area (SP #421) along 18th Street South and South Bell Street, as shown on Attachment A; or 2) construct curb and gutter and streetscape improvements, as shown in Attachment A, to the south side of 18th Street South for the portion of the block between the westernmost portion of the site plan area

(SP #421) along 18th Street South and South Bell Street. The developer further agrees that if they choose to construct the improvements to 18th Street South, as required by this condition, themselves, that such improvements shall be provided as shown on the civil engineering plan and completed prior to issuance of the first Certificate of Occupancy. In the event that the County performs this improvement to 18th Street South utilizing the contribution from the developer, as permitted above, no issuance of permits for development of this site plan (SP #421) shall be delayed based upon the County's completion of such improvements.

Community Benefits

86. The developer agrees that if the footing-to-grade permit has not been issued for this project on or before September 15, 2015, then the developer shall obtain the County Manager's approval of a plan for the amount and timing of the payment of additional community benefits associated with this project. The amount of additional community benefits shall be determined by, first, multiplying the then-current fair market value (per FAR sq. ft.) times the total approved gross floor area of the building above the base 3.8 FAR and applicable bonus densities for LEED certification and community facilities, with adjustments approved by the County Manager upon consultation with the County Board, to reduce the amount to account for community benefits provided pursuant to conditions 50, 64, 66, 79, 80, 83 and 85, and to apply a Crystal City Redevelopment Credit if the County Manager finds that such credit is warranted, based on the standards for such credit as set forth in the Crystal City Sector Plan and the amount of development that has occurred in Crystal City. Unless other uses for any payment are approved by the County Board, any such payment shall be used for the design, construction, and/or implementation of Center Park as envisioned in the Crystal City Sector Plan.

PREVIOUS COUNTY BOARD ACTIONS:

July 15, 1967	Approved a site plan for Crystal Mall.
February 7, 1968	Approved a site plan amendment to increase gross floor area to 1,106,649 square feet.
September 13, 1969	Approved a site plan amendment for a sign plan.
March 11, 1970	Approved a site plan amendment converting parking area to storage.
July 8, 1970	Approved a site plan amendment for a temporary bank trailer.
May 6, 1972	Approved a site plan amendment for a temporary bank trailer.
October 13, 1972	Approved a site plan amendment to relocate a sign marquee.
November 6, 1976	Approved a site plan amendment to add 40 motel rooms.
January 8, 1977	Approved a site plan amendment for identification signs.
July 7, 1979	Approved a site plan amendment for temporary use of plaza space for commercial uses.
November 15, 1980	Approved a site plan amendment to convert 9,856 square feet of commercial space to office.
February 5, 1983	Approved a site plan amendment for a coordinated sign system for Crystal City.
December 10, 1983	Approved a site plan amendment for a satellite antenna reception dish on the Crystal City Marriott.
November 17, 1984	Approved a site plan amendment to convert 13,123 square feet of commercial restaurant space to office GFA for a period of five years.
January 10, 1987	Approved a site plan amendment to permit 24 flags at the balcony level facing South Clark Street and

20th Street South subject to the condition that the flags not be visible from major thoroughfares, denied a request for a Marriott logo flag.

August 12, 1989

Approved site plan amendment request for a coordinated sign plan consisting of 60 new signs and retention of 13 existing signs including Metro Station and Buchanan House signage (Crystal City Comprehensive Sign Plan (SP #11, 56, 90, 135, 167)).

November 17, 1990

Deferred a site plan amendment to amend the comprehensive sign plan to permit modification of an existing theater marquee to an electronic message board.

January 5, 1991

Deferred a site plan amendment request to amend the comprehensive sign plan to permit modification of an existing theater marquee to an electronic message board.

February 9, 1991

Approved a site plan amendment request to amend the comprehensive sign plan to permit modification of an existing theater marquee to an electronic message board subject to two (2) conditions.

Approved a site plan amendment request to amend the comprehensive sign plan to permit two temporary office leasing banners at heights below 35 feet on two office buildings and accepted withdrawal of the request for temporary residential leasing banners.

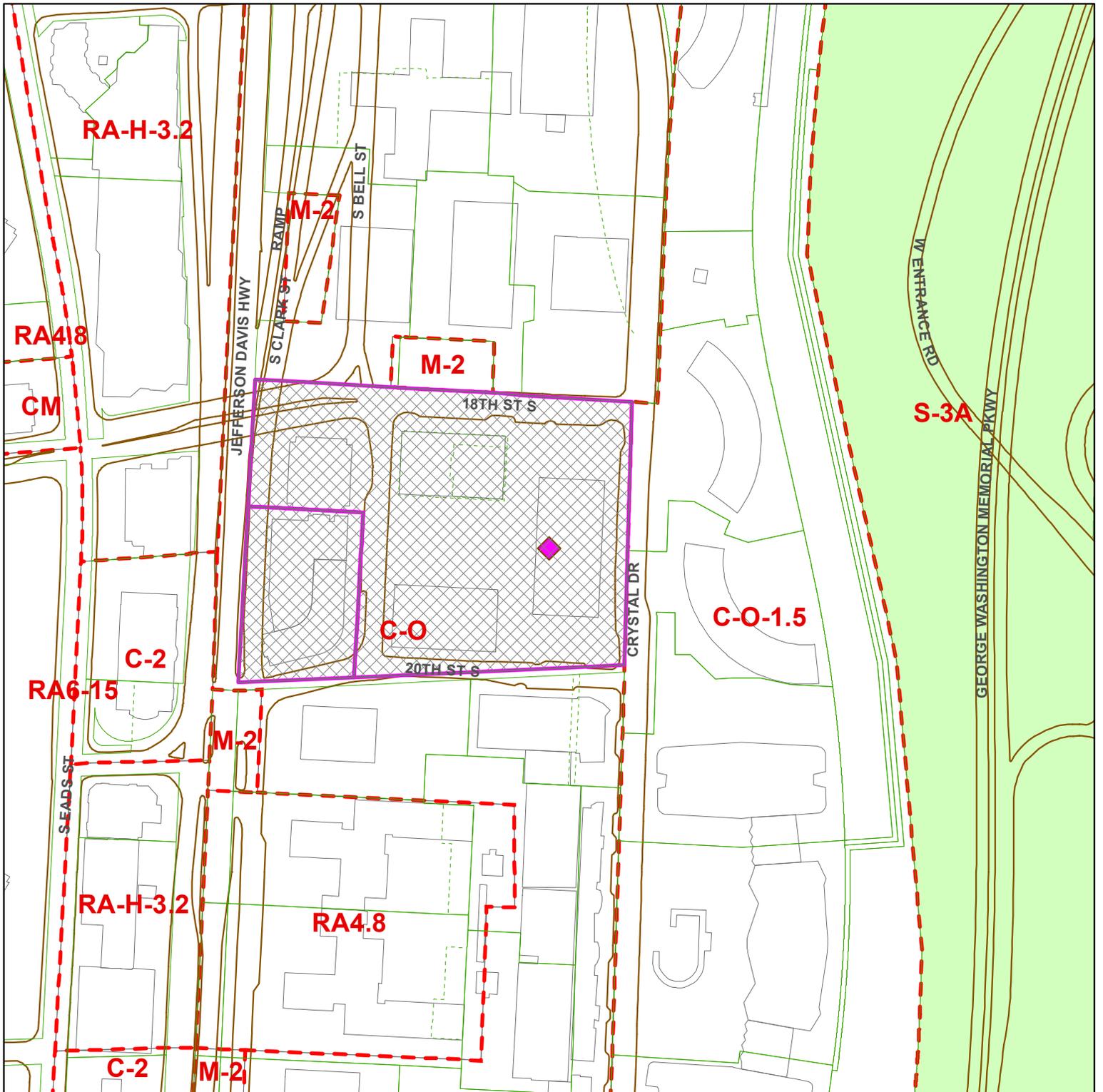
December 7, 1991

Approved a site plan amendment request to modify the approved comprehensive sign plan to allow retail, project, parking identification signs and replacement directional pylon signs subject to conditions.

September 6, 1997

Approved a Site Plan Amendment request to add the standard subdivision conditions to permit administrative approval of a subdivision of the property, subject to all previous and two new conditions.

May 19, 2001	Approved a Site Plan Amendment request to modify the amounts of square footage for retail and office use, modify density open space and parking requirements, and a comprehensive sign plan, with conditions.
September 18, 2004	Deferred a Site Plan Amendment request to convert the first floor to educational uses to the November 16, 2004, County Board Meeting.
December 13, 2008	Approved a Site Plan Amendment request for two (2) tenant identification rooftop signs.
July 10, 2010	Deferred a Site Plan Amendment to reconfigure the service drive to the September 25, 2010 County Board Meeting.
September 25, 2010	Deferred a Site Plan Amendment to reconfigure the service drive to the October 23, 2010 County Board Meeting.
October 23, 2010	Deferred a Site Plan Amendment to reconfigure the service drive to the November 13, 2010 County Board Meeting.
November 13, 2010	Deferred a Site Plan Amendment to reconfigure the service drive to the January 22, 2011 County Board Meeting.
January 22, 2011	Deferred a Site Plan Amendment to reconfigure the service drive to the February 12, 2011 County Board Meeting.
February 12, 2011	Approved a Site Plan Amendment to reconfigure the service drive.



SP#56

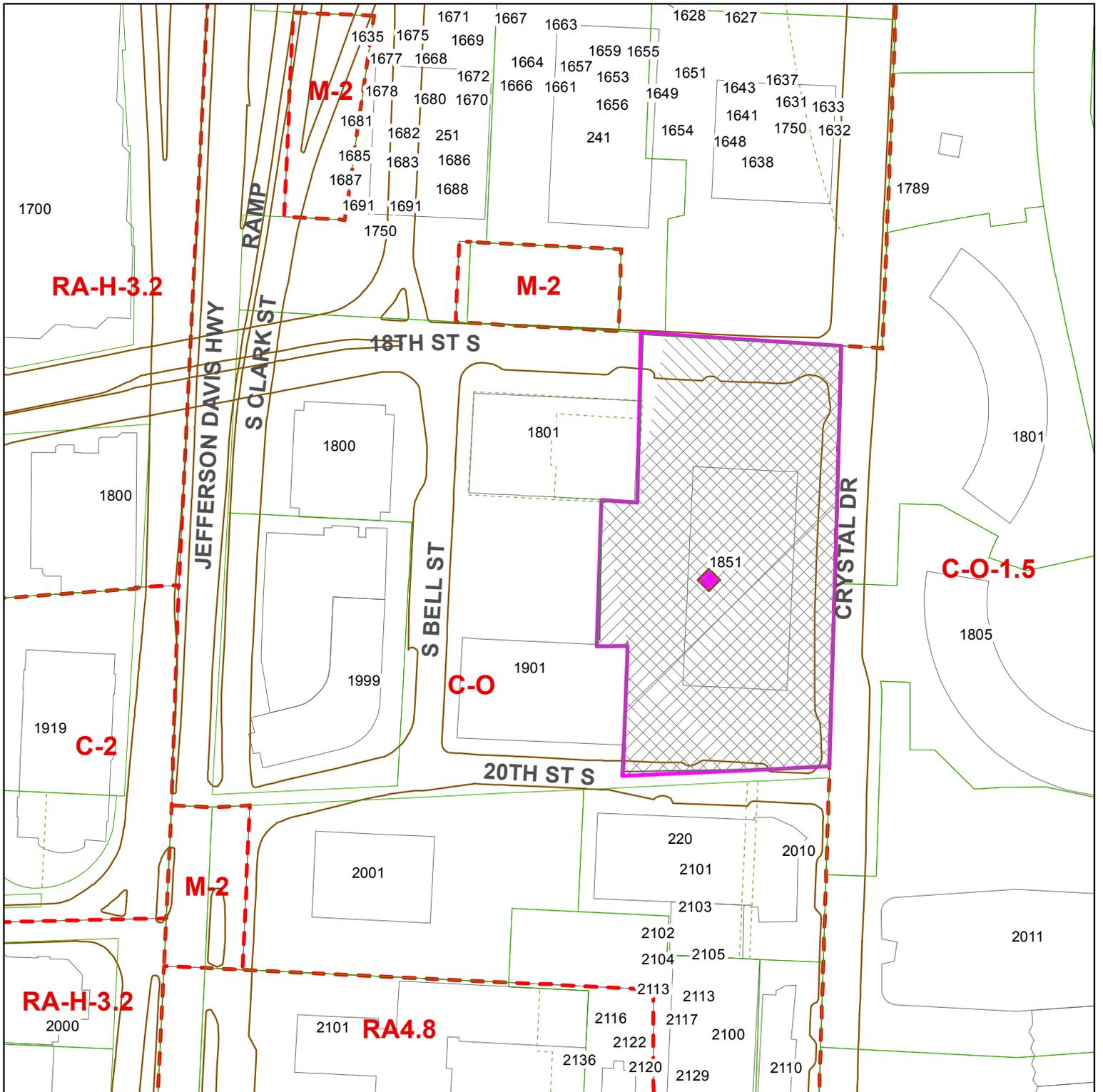
1800, 1801, 1901 South Bell Street and 1999 Jefferson Davis Highway

portion of RPC# 34-026-037, and RPC# 34-026-035, the remaining portion of 34-026-037, 34-026, 038, 34-026-039, and 34-026-040



 Case
 Location(s)
 Scale: 1:3,195

Note: These maps are for property location assistance only. They may not represent the latest survey and other information.



SP#421

1851 South Bell Street (to be renamed 1900 Crystal Drive)

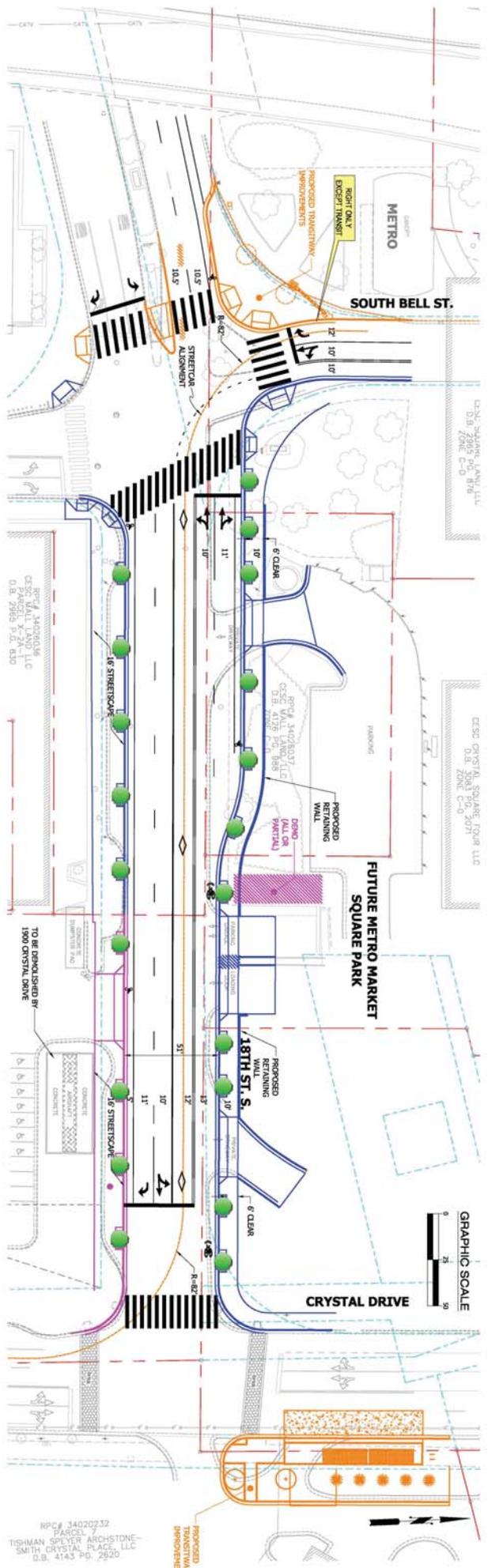
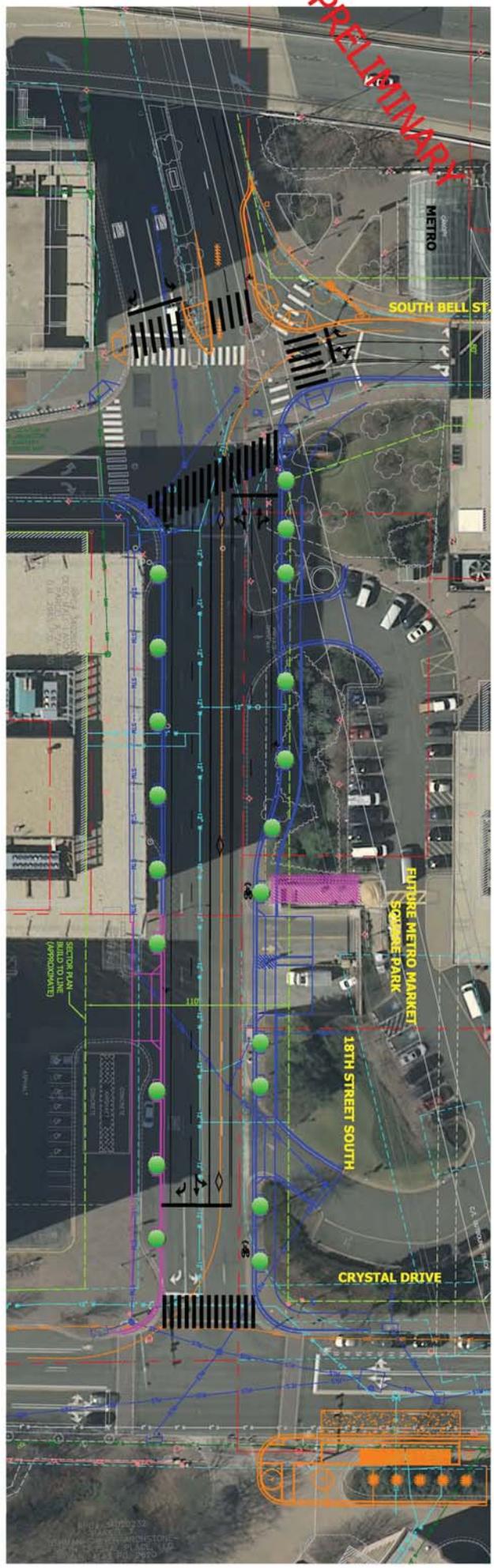
a portion of RPC# 34-026-037



 Case Location(s)
 Scale: 1:2,000

Note: These maps are for property location assistance only. They may not represent the latest survey and other information.

PRELIMINARY



18th Street South - Plan Concept